



# South Coast Air Quality Management District

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

---

## A G E N D A

---

MEETING, APRIL 1, 2016

A meeting of the South Coast Air Quality Management District Board will be held at 9:00 a.m., in the Auditorium at SCAQMD Headquarters, 21865 Copley Drive, Diamond Bar, California.

### Questions About an Agenda Item

- The name and telephone number of the appropriate staff person to call for additional information or to resolve concerns is listed for each agenda item.
- In preparation for the meeting, you are encouraged to obtain whatever clarifying information may be needed to allow the Board to move expeditiously in its deliberations.

### Meeting Procedures

- The public meeting of the SCAQMD Governing Board begins at 9:00a.m. The Governing Board generally will consider items in the order listed on the agenda. However, any item may be considered in any order.
- After taking action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

### Questions About Progress of the Meeting

- During the meeting, the public may call the Clerk of the Board's Office at (909) 396-2500 for the number of the agenda item the Board is currently discussing.

---

The agenda and documents in the agenda packet will be made available upon request in appropriate alternative formats to assist persons with a disability. Disability-related accommodations will also be made available to allow participation in the Board meeting. Any accommodations must be requested as soon as practicable. Requests will be accommodated to the extent feasible. Please telephone the Clerk of the Boards Office at (909) 396-2500 from 7:00 a.m. to 5:30p.m. Tuesday through Friday.

All documents (i) constituting non-exempt public records, (ii) relating to an item on the agenda, and (iii) having been distributed to at least a majority of the Governing Board after the agenda is posted, are available prior to the meeting for public review at the South Coast Air Quality Management District Clerk of the Board's Office, 21865 Copley Drive, Diamond Bar, CA 91765.

The Agenda is subject to revisions. For the latest version of agenda items herein or missing agenda items, check the District's web page ([www.aqmd.gov](http://www.aqmd.gov)) or contact the Clerk of the Board, (909) 396-2500. Copies of revised agendas will also be available at the Board meeting.

---

*Cleaning the air that we breathe...*

**CALL TO ORDER**

- Pledge of Allegiance
- Opening Comments: William A. Burke, Ed.D., Chair  
Other Board Members  
Michael B. O’Kelly, Acting Executive Officer
- Presentation on Brain and Lung Tumor and Air Pollution Foundation Studies **Dr. Keith Black**

---

Staff/Phone (909) 396-

**CONSENT CALENDAR (Items 1 through 16)**

Note: Consent Calendar items held for discussion will be moved to Item No. 17

1. Approve Minutes of March 4, 2016 Board Meeting **McDaniel/2500**
  
2. Set Public Hearings May 6, 2016 to: **O’Kelly/2828**
  - A. Amend Rule 306 – Plan Fees **Whynot/3104**

The proposed amendment to Rule 306 would make administrative changes to extend the payment due date for remittance of initial plan fees and plan annual renewal fees from 30 to 60 days to be consistent with other fees in Regulation III – Fees. In addition, PAR 306 would update the list of plans in subdivision (h) of Rule 306 that are subject to annual review/annual renewal fees. (Review: Special Governing Board Meeting/Budget Study Session, April 8, 2016)
  
  - B. Receive Public Input on Executive Officer's Draft Goals and Priority Objectives for FY 2016-17 **O’Kelly/2828**

A set of draft goals for the FY 2016-17 Budget has been developed. The Executive Officer wishes to receive public and Board Member input on these goals and priority objectives as they serve as the foundation of SCAQMD's Work Program. (Review: Administrative Committee, February 12 and April 8, 2016)
  
  - C. Adopt FY 2016-17 SCAQMD Budget and Work Program **O’Kelly/2828**

The Executive Officer’s budget for FY 2016-17 has been developed and the Executive Officer wishes to receive public and Board member input on the draft budget. It will also be presented to the Budget Advisory Committee and at a public workshop in April with recommendations and comments provided to the Board by April 15, 2016. (Review: Special Governing Board Meeting/Budget Study Session, April 8, 2016)

**Budget/Fiscal Impact**

3. Recognize Funds and Issue RFP for In-Use Emissions Testing of On-Road Heavy-Duty Vehicles **Miyasato/3249**

Assessment of in-use emissions from heavy-duty vehicles remains a critical component for measuring the effectiveness of engine, fuel and aftertreatment technologies as well as the South Coast Air Basin's progress toward achieving the federal ambient air quality standards. SCAQMD staff proposes to conduct in-use emissions testing, fuel usage profile characterization, and an impact assessment of current technology and alternative fuels on fuel consumption and in-use emissions from heavy-duty vehicles in various vocations. This action is to recognize funds of up to \$2.5 million from CEC and the Southern California Gas Company to cofund this project. This action is to also issue an RFP to solicit proposals to conduct in-use emissions testing, fuel usage profile characterization, and an impact assessment of current technology and alternative fuels on fuel consumption and in-use emissions from heavy-duty vehicles. (Reviewed: Technology Committee, March 18, 2016; Recommended for Approval)

4. Issue RFP for Protocol Development for Reconciling Air Quality Monitoring Data with Dispersion Modeling Results **Whynot/3104**

SCAQMD staff reviews and approves dispersion modeling and Health Risk Assessments for facilities subject to the AB2588 Air Toxics "Hot Spots" Act and Rule 1402. In recent years, these dispersion modeling analyses have been informed by local air quality monitoring efforts conducted near some of these facilities. Frequently, these monitoring efforts have identified new sources of emissions that then need to be included in the dispersion modeling analysis. This effort will provide a protocol to ensure a consistent methodology is applied with this model-to-monitor 'reconciliation' for all facilities. This action is to issue an RFP to select a consultant with experience in dispersion modeling and evaluating monitoring data to develop this protocol. Funds for this proposal in an amount not to exceed \$100,000 are included in the FY 2015-16 Budget. (Reviewed: Administrative Committee, March 11, 2016; Recommended for Approval)

5. Issue RFP for CEQA Consultant Assistance **Whynot/3104**

The SCAQMD requires additional resources to assist staff with the preparation of all or portions of CEQA documents for SCAQMD rule or permit projects where the SCAQMD is the lead agency under CEQA and other CEQA-related tasks, as necessary. This action is to issue an RFP to select one or more pre-qualified contractors experienced in CEQA analysis and document preparation to assist staff with these tasks. Funds for this proposal in an amount not to exceed \$100,000 are included in the FY 2015-16 Budget. (Reviewed: Administrative Committee, March 11, 2016; Recommended for Approval)

6. Issue RFP to Solicit Proposals for Media, Advertising and Public Outreach Campaign; and Execute Contract for Targeted YouTube Videos and Banner Ads, both for 2016/17 Check Before You Burn Program **Atwood/3687**

This action is to issue an RFP not to exceed \$250,000 to solicit proposals from advertising agencies, media/public relations firms or other organizations with the necessary expertise to plan and execute a comprehensive media, advertising and public outreach campaign to promote awareness of and compliance with SCAQMD's 2016/17 Check Before You Burn program. In addition, this action will also authorize the Executive Officer to execute a contract with Google for \$250,000 for a targeted outreach program utilizing YouTube videos and banner ads to help promote the Check Before You Burn program. (Reviewed: Administrative Committee, March 11, 2016; Recommended for Approval)

7. Execute Contract for Refurbishment of Pace Air Handlers at SCAQMD Headquarters and Approve Transfer of Funds **Johnson/3018**

On November 6, 2015, the Board authorized the release of an RFP for the refurbishment of Pace air handlers at SCAQMD headquarters. This action is to execute a contract with Emcor Services for an amount not to exceed \$1,265,260 for the refurbishment of the Pace air handlers, and approve the transfer of \$204,200 from District General's FY 2015-16 Budget to the Infrastructure Improvement Fund (02). (Reviewed: Administrative Committee, March 11, 2016; Recommended for Approval)

8. Authorize Purchase of Enterprise Content Management System **Marlia/3148**

On December 4, 2015, SCAQMD released an RFP to select a vendor(s) capable of providing a high quality, cost-effective Enterprise Content Management (ECM) solution to capture, store and manage a robust workflow; and deliver documents and electronic files related to organizational processes. As a result of successful responses to this RFP, Hyland Software, Inc. was identified as the most capable and qualified vendor to provide the ECM solution to the SCAQMD. This action is to approve purchase of an Enterprise Content Management system from Hyland Software, Inc., including maintenance for a period of three years. This purchase is conditional on the funds (\$101,600 one-time acquisition and installation cost and \$129,783 annual maintenance cost) for the first year of this purchase being approved as part of the Proposed FY 2016-17 Budget. Also, funds for subsequent annual software maintenance tied to the General Services Administration pricing will be requested in subsequent fiscal year budgets. (Reviewed: Administrative Committee, March 11, 2016, Recommended for Approval)

9. Appropriate Funds and Authorize Amending/Initiating Contracts with Outside Counsel and Specialized Legal Counsel and Services **Wiese/3460**

Legal is currently being assisted in environmental lawsuits by outside law firms and in other matters requiring specialized legal counsel and services, including ongoing litigation. This action is to appropriate \$100,000 from the Designation for Litigation and Enforcement and \$350,000 from Undesignated Fund Balance to Legal's FY 2015-16 Budget and amend or initiate contracts to expend these funds with prequalified counsel approved by the Board as well as specialized legal counsel and services. (Reviewed: Administrative Committee, March 11, 2016; Recommended for Approval)

10. Approve Contract Awards Approved by MSRC **Pettis**

As part of their FYs 2014-16 AB 2766 Discretionary Fund Work Program, the MSRC approved one new contract under the Major Event Center Transportation Program, and five new sole-source contracts under the Transportation Control Measure Partnership Program. At this time the MSRC seeks Board approval of the contract awards. (Reviewed: Mobile Source Air Pollution Reduction Review Committee, March 17, 2016; Recommended for Approval)

**Items 11 through 16 - Information Only/Receive and File**

11. Legislative and Public Affairs Report **Smith/3242**

This report highlights the February 2016 outreach activities of Legislative and Public Affairs, which include: Environmental Justice Update, Community Events/Public Meetings, Business Assistance, and Outreach to Business and Federal, State, and Local Government. (No Committee Review)

12. Hearing Board Report **Camarena/2500**

This reports the actions taken by the Hearing Board during the period of February 1 through February 29, 2016. (No Committee Review)

13. Civil Filings and Civil Penalties Report **Wiese/3460**

This reports the monthly penalties from February 1 through February 29, 2016, and legal actions filed by the General Counsel's Office from February 1 through February 29, 2016. An Index of District Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, March 18, 2016)

14. **Lead Agency Projects and Environmental Documents Received by SCAQMD** **Whynot/3104**

This report provides, for the Board's consideration, a listing of CEQA documents received by the SCAQMD between February 1, 2016 and February 29, 2016 and those projects for which the SCAQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, March 18, 2016)

15. **Rule and Control Measure Forecast** **Fine/2239**

This report highlights SCAQMD rulemaking activities and public workshops potentially scheduled for the year 2016. (No Committee Review)

16. **Status Report on Major Projects for Information Management Scheduled to Start During Last Six Months of FY 2015-16** **Marlia/3148**

Information Management is responsible for data systems management services in support of all SCAQMD operations. This action is to provide the monthly status report on major automation contracts and projects to be initiated by Information Management during the last six months of FY 2015-16. (No Committee Review)

17. Items Deferred from Consent Calendar

**BOARD CALENDAR**

18. **Administrative Committee (Receive & File)** **Chair: Burke** **O'Kelly/2828**

- 19A. **Legislative Committee** **Chair: Mitchell** **Smith/3242**  
**(Continued from March 4, 2016 meeting by operation of procedure)**

Receive and file; and take the following action as recommended:

<b>Agenda Item</b>	<b>Recommendation</b>
Aliso Canyon Natural Gas Leak Amendments to the Federal Energy Bill	Support
SB 886/ SB 380 <sup>[1]</sup> (Pavley) Natural Gas Storage: Moratorium	Support and continue to work with author on details involving air quality and SCAQMD operations

SB 887 (Pavley) Natural Gas Storage Wells	Support and continue to work with author on details involving air quality and SCAQMD operations
SB 888 (Allen) Gas Corporations: Emergency Management	Support and continue to work with author on details involving air quality and SCAQMD operations
State and Federal Legislative Proposals Providing for additional Cost Considerations in SCAQMD's Regulatory Program	Approve for staff to prepare bill language for next meeting

<sup>[1]</sup> The committee took a support position on SB 886 (Pavley), but that language was gutted and amended into SB 380 (Pavley). SB 886 is now a vehicle for another bill.

- 19B. Legislative Committee (Receive & File) **Chair: Mitchell Smith/3242**
- 20. Mobile Source Committee (Receive & File) **Chair: Parker Fine/2239**
- 21. Stationary Source Committee (Receive & File) **Chair: B. Benoit Nazemi/2662**
- 22. Technology Committee (Receive & File) **Chair: J. Benoit Miyasato/3249**
- 23. Mobile Source Air Pollution Reduction Review Committee (Receive & File) **Board Liaison: Antonovich Hogo/3184**
- 24. California Air Resources Board Monthly Report (Receive & File) **Board Rep: Mitchell McDaniel/2500**
- 25. Ad Hoc Committee on Large Compliance Investments and Future Regulatory Certainty (Receive & File) **Chair: Nelson Fine/2239**

**Staff Presentation/Board Discussion**

- 26. Update on AQMP Development (*No Written Material*) **Fine/2239**

Staff will give an overview on the ongoing development of the 2016 AQMP, including a discussion on the current control strategy concepts and major policy questions. The March 18, 2016 Mobile Source Committee included a detailed discussion on this topic and the Committee recommended that staff give a similar presentation to the full Board. (Reviewed: Mobile Source Committee, January 22 and March 18, 2016)

27. Renewable Energy Implementation and Storage Technologies **Whynot/3104**  
(No Written Material)

At the December 4, 2015 Board meeting, staff was directed to review renewable energy implementation and technologies that can eventually replace the need for new fossil based power generation in the 2016 AQMP and report back to the Board. Staff will provide an overview of the path forward in implementing larger amounts of renewable generation, the associated challenges, and storage technologies that increase renewable energy implementation with reduced reliance on conventional resources. (No Committee Review)

**OTHER BUSINESS**

28. Execute Sole Source Contract with National Academies of **O'Kelly/2828**  
Sciences, Engineering, and Medicine

On January 23, 2016, the SCAQMD Hearing Board issued an Order for Abatement, Case No. 137-76, ordering Southern California Gas Company to perform a health study to address community concerns regarding the health impacts of the Aliso Canyon Storage Facility gas leak. This action is to execute a sole source contract with the National Academies of Sciences, Engineering, and Medicine for an amount not to exceed \$600,000 to provide independent guidance for the health study, and to review and rank research proposals. (No Committee Review)

**PUBLIC COMMENT PERIOD – (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3)**

**BOARD MEMBER TRAVEL – (No Written Material)**

Board member travel reports have been filed with the Clerk of the Boards, and copies are available upon request.

**CLOSED SESSION - (No Written Material)**

**Wiese/3460**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

It is necessary for the Board to recess to closed session pursuant to Government Code section 54956.9(a) and 54956.9(d)(1) to confer with its counsel regarding pending litigation which has been initiated formally and to which the SCAQMD is a party. The actions are:

- Communities for a Better Environment v. SCAQMD, Los Angeles Superior Court Case No. BS153472 (Phillips 66);
- Communities for a Better Environment, et al. v. SCAQMD, Los Angeles Superior Court Case No. BS161399 (RECLAIM);
- People of the State of California, ex rel SCAQMD v. Exide Technologies, Inc., Los Angeles Superior Court Case No. BC533528;



- In the Matter of SCAQMD v. Exide Technologies, Inc., SCAQMD Hearing Board Case No. 3151-29 (Order for Abatement);
- Exide Technologies, Inc., Petition for Variance, SCAQMD Hearing Board Case No. 3151-31;
- In re: Exide Technologies, Inc., U.S. Bankruptcy Court for the District of Delaware Case No. 13-11482 (KJC) (Bankruptcy case);
- People of the State of California, ex rel SCAQMD v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; Judicial Council Coordinated Proceeding No. 4861;
- In the Matter of SCAQMD v. Southern California Gas Company, Aliso Canyon Storage Facility, SCAQMD Hearing Board Case No. 137-76 (Order for Abatement);
- Fast Lane Transportation, Inc. et al. v. City of Los Angeles, et al., Contra Costa County Superior Court Case No. MSN14-0300 (formerly South Coast Air Quality Management District v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BS 143381) (SCIG);
- Physicians for Social Responsibility, et al. v. U.S. EPA, U.S. Court of Appeals, Ninth Circuit, Case No. 14-73362 (1-Hour ozone);
- SCAQMD v. City of Moreno Valley, et al., Riverside County Superior Court, Case Nos. RIC 1511213 and RIC 1601988 (World Logistics Center);
- SCAQMD v. U.S. EPA, U.S. Court of Appeals, Ninth Circuit, Case No. 13-73936 (Morongo Redesignation);
- SCAQMD v. U.S. EPA, U.S. Court of Appeals, Ninth Circuit, Case No. 15-71600 (Pechanga Redesignation);
- SCAQMD v. U.S. EPA, D.C. Circuit Court Case No. 15-1115 (RFP for Coachella);
- Sierra Club, et al. v. U.S. EPA, U.S. District Court for Northern District of California Case No. 3:14-CV-04596 (PM2.5 designation to serious); and
- WildEarth Guardians v. U.S. EPA, D.C. Circuit Court Case No. 14-1145 (PM2.5 moderate designation).

#### CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

It is also necessary for the Board to recess to closed session pursuant to Government Code section 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation (two cases).

- SCAQMD v. Hermon Equiptrans, et al., Los Angeles Superior Court Case No. BC613063.

It is also necessary to recess to closed session pursuant to Government Code Section 54957:

**PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT**

Title: Acting Executive Officer

It is also necessary to recess to closed session pursuant to Government Code Section 54957.6:

**CONFERENCE WITH NEGOTIATORS**

Agency Designated Representative: Kurt R. Wiese, General Counsel

Unrepresented Employee: Acting Executive Officer

**OPEN SESSION**

29. Approval of Contract and Public Employee Compensation (*No Written Material*) **Burke**

Title: Acting Executive Officer

**ADJOURNMENT**

**\*\*\*PUBLIC COMMENTS\*\*\***

**Members of the public are afforded an opportunity to speak on any listed item before or during consideration of that item. Please notify the Clerk of the Board, (909) 396-2500, if you wish to do so. All agendas are posted at SCAQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the meeting. At the end of the agenda, an opportunity is also provided for the public to speak on any subject within the SCAQMD's authority. Speakers may be limited to three (3) minutes each.**

**Note that on items listed on the Consent Calendar and the balance of the agenda any motion, including action, can be taken (consideration is not limited to listed recommended actions). Additional matters can be added and action taken by two-thirds vote, or in the case of an emergency, by a majority vote. Matters raised under Public Comments may not be acted upon at that meeting other than as provided above.**

**Written comments will be accepted by the Board and made part of the record, provided 25 copies are presented to the Clerk of the Board. Electronic submittals to [cob@aqmd.gov](mailto:cob@aqmd.gov) of 10 pages or less including attachment, in MS WORD, plain or HTML format will also be accepted by the Board and made part of the record if received no later than 5:00 p.m., on the Tuesday prior to the Board meeting.**

**ACRONYMS**

AQIP = Air Quality Investment Program	NGV = Natural Gas Vehicle
AQMP = Air Quality Management Plan	NOx = Oxides of Nitrogen
AVR = Average Vehicle Ridership	NSPS = New Source Performance Standards
BACT = Best Available Control Technology	NSR = New Source Review
Cal/EPA = California Environmental Protection Agency	OEHHA = Office of Environmental Health Hazard Assessment
CARB = California Air Resources Board	PAMS = Photochemical Assessment Monitoring Stations
CEMS = Continuous Emissions Monitoring Systems	PAR = Proposed Amended Rule
CEC = California Energy Commission	PEV = Plug-In Electric Vehicle
CEQA = California Environmental Quality Act	PHEV = Plug-In Hybrid Electric Vehicle
CE-CERT =College of Engineering-Center for Environmental Research and Technology	PM10 = Particulate Matter $\leq$ 10 microns
CNG = Compressed Natural Gas	PM2.5 = Particulate Matter $\leq$ 2.5 microns
CO = Carbon Monoxide	PR = Proposed Rule
CTG = Control Techniques Guideline	RFP = Request for Proposals
DOE = Department of Energy	RFQ = Request for Quotations
EV = Electric Vehicle	SCAG = Southern California Association of Governments
FY = Fiscal Year	SIP = State Implementation Plan
GHG = Greenhouse Gas	SOx = Oxides of Sulfur
HRA = Health Risk Assessment	SOON = Surplus Off-Road Opt-In for NOx
LEV = Low Emission Vehicle	SULEV = Super Ultra Low Emission Vehicle
LNG = Liquefied Natural Gas	TCM = Transportation Control Measure
MATES = Multiple Air Toxics Exposure Study	ULEV = Ultra Low Emission Vehicle
MOU = Memorandum of Understanding	U.S. EPA = United States Environmental Protection Agency
MSERCs = Mobile Source Emission Reduction Credits	VOC = Volatile Organic Compound
MSRC = Mobile Source (Air Pollution Reduction) Review Committee	VMT = Vehicle Miles Traveled
NATTS =National Air Toxics Trends Station	ZEV = Zero Emission Vehicle
NESHAPS = National Emission Standards for Hazardous Air Pollutants	

[↑ Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the March 4, 2016 meeting.

RECOMMENDED ACTION:

Approve Minutes of the March 4, 2016 Board Meeting.

Sandra McDaniel,  
Clerk of the Boards

SM:dg

---

**FRIDAY, MARCH 4, 2016**

Notice having been duly given, the regular meeting of the South Coast Air Quality Management District Board was held at District Headquarters, 21865 Copley Drive, Diamond Bar, California. Members present:

William A. Burke, Ed.D., Chairman  
Speaker of the Assembly Appointee

Council Member Ben Benoit, Vice Chairman  
Cities of Riverside County

Mayor Michael D. Antonovich  
County of Los Angeles

Supervisor John J. Benoit  
County of Riverside

Council Member Joe Buscaino (left at 1:50 p.m.)  
City of Los Angeles

Mayor Pro Tem Michael A. Cacciotti  
Cities of Los Angeles County – Eastern Region

Dr. Joseph K. Lyou  
Governor's Appointee

Mayor Larry McCallon  
Cities of San Bernardino County

Council Member Judith Mitchell  
Cities of Los Angeles County – Western Region

Supervisor Shawn Nelson  
County of Orange

Dr. Clark E. Parker, Sr.  
Senate Rules Committee Appointee

Council Member Dwight Robinson  
Cities of Orange County

Supervisor Janice Rutherford  
County of San Bernardino

**CALL TO ORDER:** Chairman Burke called the meeting to order at 9:05 a.m.

- Pledge of Allegiance: Led by Dr. Lyou.
- Opening Comments

Dr. Wallerstein. Suggested that Item 2 be continued to the April 1, 2016 meeting and return to the Administrative Committee.

- Swearing In of Reappointed Board Member Michael Cacciotti

Chairman Burke administered the oath of office to Mayor Pro Tem Cacciotti, who was reappointed by the Los Angeles County City Selection Committee - Eastern Region, for a term ending January 15, 2020.

### **CONSENT CALENDAR**

1. Approve Minutes of February 5, 2016 Board Meeting
2. Set Public Hearing April 1, 2016 to Receive Public Input on Executive Officer's Draft Goals and Priority Objectives for FY 2016-17

#### **Budget/Fiscal Impact**

3. Execute Contract to Cost-Share Alternative Fuel Station Expansion **E**
4. Establish Special Revenue Fund, Recognize and Transfer Funds, and Execute Contracts to Develop and Demonstrate Zero Emission Capable Drayage Trucks **E**
5. Authorize Acquisition of Four Advanced Technology Vehicles for SCAQMD's Alternative Fuel Vehicle Demonstration Program **E**
6. Approve Truck Projects for Proposition 1B-Goods Movement Program
7. Adopt Resolution Recognizing Funds and Accepting Terms and Conditions for FY 2015-16 Carl Moyer Program Award, Issue Program Announcements for Carl Moyer Program and SOON Provision, Execute and Amend Contracts, and Amend SOON Provision Implementation Guidelines **E**
8. Issue Program Announcements for Electric Lawn Mower Vendors, Licensed Scrappers and Support Service Providers **E**

9. Recognize Revenue and Appropriate Funds to Develop Low-Cost Sensor Network for Monitoring PM Emissions from Waste Disposal and Recycling Facility
10. Approve Implementation of Three Additional Incentive Programs, Amend Existing Contract, Expand Implementation Areas, and Allocate Funds for Implementation of U.S. EPA's Targeted Air Shed Grant
11. Transfer and Appropriate Funds and Issue Purchase Order for Field Monitoring Equipment
12. Approve SCAQMD Annual Investment Policy, Delegation of Authority to Appointed Treasurer to Invest SCAQMD Funds
13. Execute Contract for Elevator Service, Repairs and Preventative Maintenance
14. Approve Position Reclassification
15. Amend Contract for Document and Case Management System for SCAQMD's Legal Department
16. Authorize Staff to Petition U.S. EPA to Adopt Lower On-Road Heavy-Duty Engine Exhaust Emission Standards for NOx
17. Approve Contract Awards and Modification Approved by MSRC

**Action Items/No Fiscal Impact**

18. Approve SCAQMD Comments on U.S. EPA's Proposed Amendments to Regulation Governing U.S. EPA Procedures for Investigating Title VI Complaints
19. Annual Meeting of Brain & Lung Tumor and Air Pollution Foundation

**Items 20 through 27 - Information Only/Receive and File**

20. Legislative and Public Affairs Report
21. Hearing Board Report
22. Civil Filings and Civil Penalties Report

23. Lead Agency Projects and Environmental Documents Received by SCAQMD
24. Rule and Control Measure Forecast
25. Rule 1147 Technology Assessment
26. Status Report on Major Projects for Information Management Scheduled to Start During Last Six Months of FY 2015-16
27. FY 2015-16 Contract Activity

Dr. Lyou announced his abstention on Item No. 4 because BYD Company, Volvo, Transpower, LA County Metropolitan Authority and Bay Area AQMD are potential sources of income to him. Supervisor Antonovich announced his abstention on Item No. 4 because of a campaign contribution from BYD America. Councilman Buscaino announced his abstention on Item No. 4 because of a campaign contribution from BYD Motors.

Supervisors Benoit and Rutherford announced their abstention on Item No. 17 because of campaign contributions from Burrtec Waste Industries.

Mayor McCallon announced that he serves as a Board Member for the San Bernardino Associated Governments which is involved with Item No. 17.

Agenda Items 16 and 19 were withheld for discussion.

AGENDA ITEM 2 WAS CONTINUED TO THE  
APRIL 1, 2016 BOARD MEETING AT STAFF'S  
RECOMMENDATION AND WITH THE  
CHAIRMAN'S CONCURRENCE.



MOVED BY NELSON, SECONDED BY CACCIOTTI, AGENDA ITEMS 1, 3 THROUGH 15, 17, 18 AND 20 THROUGH 27, APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 16-4 RECOGNIZING FUNDS AND ACCEPTING THE TERMS AND CONDITIONS OF THE FY 2015-16 CARL MOYER GRANT AWARD AND RESOLUTION NO. 16-5 DELEGATING AUTHORITY TO THE TREASURER OF THE COUNTY OF LOS ANGELES TO INVEST AND REINVEST FUNDS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, BY THE FOLLOWING VOTE:

AYES: Antonovich (*except Item #4*), B. Benoit, J. Benoit (*except Item #17*), Burke, Buscaino (*except Item #4*), Cacciotti, Lyou (*except Item #4*), McCallon, Mitchell, Nelson, Parker, Robinson and Rutherford (*except Item #17*).

NOES: None.

ABSTAIN: Antonovich (*Item #4 only*), J. Benoit (*Item #17 only*), Buscaino (*Item #4 only*), Lyou (*Item #4 only*) and Rutherford (*Item #17 only*).

ABSENT: None.

28. Items Deferred from Consent Calendar

16. Authorize Staff to Petition U.S. EPA to Adopt Lower On-Road Heavy-Duty Engine Exhaust Emission Standards for NOx

Supervisor Benoit explained that during a recent trip to Washington D.C. he met with multiple members of Congress and discussed with them the need for federal regulation of particulate emissions from diesel trucks and the challenges the District is faced with to meet federal air quality goals with this large issue still outstanding. He noted that the responses he received show the need for more information to be shared with these key law makers.

Supervisor Nelson questioned why the District's lobbyists are not communicating with the law makers that represent our region about the dire

need for assistance in reaching attainment goals.

Chairman Burke noted that he has been a proponent for the District to gain authority over mobile sources and further education of law makers is needed.

Councilwoman Mitchell explained that the District's legislative consultants and lobbyists met with law makers in January and while there was some interest expressed in assisting with the District's needs, widespread support is hard to obtain because the rest of the nation does not see the issue as a priority.

Dr. Lyou expressed support for the comments made by his colleagues on this issue; and noted his interest in joining in on a visit to Washington D.C. to inform Congress about this need.

Dr. Wallerstein explained that staff and the lobbyists have been addressing the issue of mobile sources, however, thus far the members of Congress have preferred incentive-based approaches and technology development-based approaches over regulations. He added that this issue could certainly be addressed in the 2016 AQMP.

MOVED BY J. BENOIT, SECONDED BY  
CACCIOTTI, AGENDA ITEM 16, APPROVED  
AS RECOMMENDED, BY THE FOLLOWING  
VOTE:

AYES: Antonovich, B. Benoit, J. Benoit,  
Burke, Buscaino, Cacciotti, Lyou,  
McCallon, Mitchell, Nelson,  
Parker, Robinson and Rutherford.

NOES: None.

ABSENT: None.

19. Annual Meeting of Brain & Lung Tumor and Air Pollution Foundation

Councilwoman Mitchell requested the Board be given a presentation on the research that has been conducted as a result of the Foundation's funding. She also expressed interest in serving on the review committee to select additional research institutes to partner with on the Foundation's efforts.

MOVED BY MITCHELL, SECONDED BY LYOU, AGENDA ITEM 19, APPROVED WITH THE DIRECTION TO STAFF TO ARRANGE A PRESENTATION TO THE BOARD REGARDING RESEARCH PROJECTS FUNDED BY THE FOUNDATION, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, J. Benoit, Burke, Buscaino, Cacciotti, Lyou, McCallon, Mitchell, Nelson, Parker, Robinson and Rutherford.

NOES: None.

ABSENT: None.

**BOARD CALENDAR**

- 29. Administrative Committee
- 30. Investment Oversight Committee
- 31. Legislative Committee
- 32. Mobile Source Committee
- 33. Stationary Source Committee
- 34. Technology Committee
- 35. Mobile Source Air Pollution Reduction Review Committee
- 36. California Air Resources Board Monthly Report

AGENDA ITEMS 29, 30, 32, 33, 35 AND 36 RECEIVED AND FILED.

Dr. Lyou announced his abstention on Item 31 and left the room during discussion of the item.

31. Legislative Committee

Dr. Tom Williams, Sierra Club, Citizens Coalition for a Safe Community and L.A. 32 Neighborhood Council in L.A. City, addressed the Board on Item 31 commenting on the proposed legislation and how important it is for emergency response plans to be a requirement for facilities like the Aliso Canyon storage facility.

THERE BEING NO ACTION TAKEN AS TO THE POSITIONS ON LEGISLATION, AGENDA ITEM 31 WAS, BY OPERATION OF PROCEDURES, CONTINUED TO THE APRIL 1, 2016 MEETING.

34. Technology Committee

Steve Goldsmith, Torrance Refinery Action Alliance, commented on the safety concerns associated with the hydrofluoric acid used at the ExxonMobil refinery in Torrance and asked about the status of a study on safer alternatives that was promised. He urged for the study process to be expedited if possible.

Dr. Wallerstein explained that a contract has been executed with Norton Engineering, who has previously performed engineering and analysis in relation to the RECLAIM rule amendments, and is familiar with the local refineries. He noted that, prior to executing the contract, staff met with the City Manager of Torrance to ensure they were satisfied with the scope of the study. He added that staff will be adding a page related to the ExxonMobil refinery to the District's website to keep the community apprised of the developments in this matter, as well as enforcement actions related to the refinery.

MOVED BY B. BENOIT, SECONDED BY CACCIOTTI, AGENDA ITEM 34, APPROVED AS RECOMMENDED, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, Burke, Buscaino, Cacciotti, McCallon, Mitchell, Nelson, Parker, Robinson and Rutherford.

NOES: None.

ABSENT: J. Benoit and Lyou.

*Staff Presentation/Board Discussion*

37. SCAQMD Comments on CARB Plans to Mitigate Methane Emissions Resulting from Aliso Canyon Gas Leak

Dr. Wallerstein detailed how staff has worked to communicate to CARB the Board's position regarding the use of GHG mitigation funds received relative to the Aliso Canyon gas leak to benefit the Porter Ranch area, or alternatively to fund other projects within Southern California. He stressed the need to ensure that GHG mitigation funds be used in an integrated, comprehensive manner to address the impact to the climate, while also reducing local impacts; and noted that this item seeks Board approval to send a second letter to CARB to voice the Board's position on this matter.

Supervisor Antonovich questioned whether the Board will have authority to use penalty funds levied against SoCalGas as they desire.

Dr. Wallerstein confirmed that funds received as a result of the District's pending lawsuit against SoCalGas will be disbursed at the discretion of the Board.

Supervisor Antonovich expressed concern with the potential for CARB to be able to dictate how penalty funds are spent.

Kurt Wiese, General Counsel, explained that there are multiple agencies with overlapping jurisdiction which complicates legal matters; and suggested that he could provide a briefing to the Board regarding the various potential penalties and fines, during the closed session period.

In response to Mayor Pro Tem Cacciotti's inquiry into how the various enforcement and legal remedies differ, Mr. Wiese explained that one aspect is the Hearing Board's order which requires SoCalGas to take certain actions at the site, including monitoring, an inspection program, and funding a health study. Separate from the Hearing Board proceeding, there is a civil penalty lawsuit that the SCAQMD has filed against SoCalGas as a result of the creation of a public nuisance. The purpose of the lawsuit is to recover monetary penalties that the Board can then direct to be used in the affected community.

Supervisor Nelson suggested the possibility of incorporating language into the letter consistent with Supervisor Antonovich's concerns indicating that the Board does not wish to support CARB allocating funds to projects as they see fit, but rather the District will pursue its own remedies, as well as make the decision as to how to allocate the revenue received.

Dr. Wallerstein confirmed that staff would add language to the letter to make that desire clear.

Dr. Tom Williams, Sierra Club, addressed the Board on Agenda Item 37, noting that in order to benefit the people of Porter Ranch, SoCal Gas should be

required to sponsor and fund the establishment of a LEED platinum certification for the community.

MOVED BY CACCIOTTI, SECONDED BY B. BENOIT, AGENDA ITEM 37 APPROVED WITH THE DIRECTION FOR STAFF TO INCLUDE LANGUAGE THAT EXPRESSES THE BOARD'S DESIRE FOR FUNDS RECOVERED BY SCAQMD TO REMAIN AT THE DISCRETION OF THE BOARD FOR DISTRIBUTION, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, J. Benoit, Burke, Buscaino, Cacciotti, McCallon, Mitchell, Nelson, Parker and Robinson.

NOES: None.

ABSENT: Lyou and Rutherford.

## **PUBLIC HEARINGS**

38. Approve Proposed Guidelines for Disbursement and Tracking of Funds Received Pursuant to Rule 1304.1 – Electrical Generating Facility Fee for Use of Offset Exemption (***Continued from the February 5, 2016 Board Meeting***)

Tracy Goss, Planning and Rules Manager, gave the staff presentation.

In response to Dr. Lyou's inquiry regarding whether there has been accounting for the additional administrative costs that may result from the outreach efforts needed in this instance, Dr. Wallerstein confirmed that he believed there was a sufficient amount budgeted for those efforts, but additional funds could be allocated in the future if the need arises.

The public hearing was opened and the following individuals addressed the Board on Agenda Item 38.

\*JORGE GARCIA, City of Santa Ana  
STEVE A. NAGAL, City of Fountain Valley  
JIM KATAPODIS, City of Huntington Beach  
RICK FRANCIS, City of Costa Mesa  
MARK VUKOYEVICH, City of Newport Beach  
BARBARA DELGLEIZE, City of Huntington Beach

Urged for a funding distribution that focuses on projects that will be implemented within a 6-mile radius of the electrical generating facility; and detailed the multitude of projects their municipalities hope to implement with the funds in

an effort to improve air quality. \*(Submitted Written Comments)

MARY ADAMS URASHIMA, Huntington Beach Resident

Expressed support for a majority of the funds to be retained in Orange County and more specifically, within a 6-mile radius of the facility. She cited reasons why the Oak View neighborhood in Huntington Beach should be considered an EJ community; and urged for that community to receive funds for projects that will help mitigate the negative air quality impacts they are faced with.

YESENIA V. OCHOA, Oak View Renewal Partnership

Spoke about the challenges faced by the residents of the Oak View community in Huntington Beach; and noted the importance of routing some of the funds to projects focused on this community.

HARVEY EDER, Public Solar Power Coalition

Noted that there is a growing movement towards community choice aggregation; and suggested that the projects that have been cited could be implemented through that method.

There being no further public testimony on this item, the public hearing was closed.

Councilman Robinson asked for clarification regarding the difference between CalEnviroScreen and MATES, and how they might differ in qualifying an area as an EJ community.

Dr. Philip Fine, DEO/Planning and Rules, explained that the District utilizes an analysis that takes into account poverty levels, in combination with air quality criteria for defining environmental justice communities. The CalEnviroScreen tool was recently developed by CalEPA and has a similar purpose to identify environmental justice areas using criteria for demographics in terms of poverty, income and other factors, as well as criteria for environmental factors including air quality-related and non-air quality related factors. He added that the Oak View Community is eligible to receive up to fifty percent of the funding under the current proposal because it is within the 10-mile radius.

In response to further questioning regarding the qualifying radius and setting limits based on a certain county, Dr. Fine noted that these guidelines will effect future repower projects that are in Los Angeles County but closely border Orange County, and the proposed guidelines allow for multiple effected areas across county lines to benefit from mitigation funds.

Councilmember Mitchell commented that the Stationary Source Committee fully vetted the criteria for the funds; and highlighted the importance of having these guidelines in place for the future. She suggested the potential to amend the guidelines to give priority to projects within a 6-mile radius during the RFP process to alleviate some of the concerns that have been voiced.

Dr. Lyou noted that the proposed guidelines are a result of a detailed process including in-depth discussions; and suggested that the District find ways to support those entities who wish to implement these projects that will have positive environmental impacts, whether that be through this funding opportunity or other grants or incentive programs.

In response to Mayor Pro Tem Cacciotti's questioning about the dispersion of emissions through prevailing winds, Dr. Fine explained that both PM2.5 and NOx emissions can contribute to regional PM2.5 and ozone levels as they blow across the Basin; he added that staff utilizes computer modeling to determine where the local impacts of these emissions occur.

MOVED BY J. BENOIT, SECONDED BY  
MCCALLON, AGENDA ITEM NO. 38  
APPROVED AS RECOMMENDED BY STAFF,  
BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, J. Benoit,  
Burke, Buscaino, Cacciotti, Lyou,  
McCallon, Mitchell, Nelson,  
Parker, Robinson and Rutherford.

NOES: None.

ABSENT: None.

Chairman Burke noted that Items 39 and 40 would be heard after other agenda items that had received numerous requests to speak.

-0-

## **OTHER BUSINESS**

41. Consider Request by State Senate Environmental Quality Committee for Board to Reconsider December 2015 Amendments to NOx RECLAIM Program

Mr. Wiese explained that this item was added to the agenda in response to a request by the Senate Environmental Quality Committee, along with other members of the Senate, to reconsider the vote by the Board on Regulation XX-RECLAIM made at the December Board meeting.

The following individuals addressed the Board on Agenda Item 41.

DAN HOFFMAN, Wilmington Chamber of Commerce and South Bay Association  
Chamber of Commerce

MICHAEL WOLF, Aegion Energy Services

PATTY SENEAL, Western States Petroleum Association



BILL LA MARR, California Small Business Alliance  
ELIZABETH WARREN, Future Ports  
CURTIS COLEMAN, Southern California Air Quality Alliance  
FRANK MONTES, California Hispanic Chamber of Commerce  
RUBEN GONZALEZ, Los Angeles Area Chamber of Commerce  
BILL QUINN, California Council for Environmental and Economic Balance  
\*DAVID ENGLIN, BizFed  
JEFF DAVIES  
TONY GRAISSO, Cal APA

---

Expressed opposition to any reconsideration of the recent amendments to the RECLAIM rules, detailed the extensive rule development process that has occurred over the past three years leading up to the December 2015 hearing and subsequent decision by the Board; and highlighted the great reductions that have resulted from the RECLAIM program over the years. \*(Submitted Written Comments)

IVAN TETHER, California Small Business Alliance and California Independent Petroleum Association

---

Noted that even though the District and the regulated community have accomplished impressive improvements over the past years, meeting emission standards will require addressing major mobile source polluters.

ALFRED SATTLER

---

Urged the Board to reconsider the previous amendments made to RECLAIM and stressed the importance of reducing NOx emissions that continue to contribute to unhealthy air quality for Southern California communities.

PETER HERZOG, NAIOP SoCal

---

Expressed opposition to a reconsideration which would undermine the process that was followed, the credibility of the agency and the certainty to the regulatory process.

ROD SPACKMAN, Chevron Corporation

---

Expressed concern with the intervention of other agencies or individuals in matters previously decided by the Board.

YVONNE WATSON, Sierra Club

---

Stressed the importance of having regulations in place that protect public health and not business interests.

HARVEY EDER, Public Solar Power Coalition and Sierra Club

---

Expressed support for conversion to solar powered technologies.

JOE MCLAUGHLIN

---

Urged the Board to follow the recommendations of climate scientists and noted the importance of decreasing reliance on fossil fuels.

ALICIA RIVERA, Communities for a Better Environment

Expressed support for reconsideration and adoption of the original staff proposal to work towards much needed NOx reductions.

Written Comments Submitted by:

Wes May, Engineering Contractors Association

Adriano L. Martinez, Earthjustice

Ralph Combs, Termo

Assemblyman Mike Gipson, along with 8 other Assemblymembers

Assemblyman Das Williams, along with 5 other Assemblymembers

Richard Lambros, Southern California Leadership Council

There being no further public testimony on this item, the public hearing was closed.

Dr. Parker noted that he believes the Board has a responsibility to consider a request of this nature by legislators; and noted that what was actually adopted did in fact differ from the staff recommendation which was a result of extensive analysis and development process.

Supervisor Nelson stressed that he believes that the Board gave the matter the fullest consideration; and expressed concern with the potential of being asked to reconsider an item each time someone disagreed with the Board's decision.

DR. PARKER MOVED THAT THE BOARD RECONSIDER ITS DECEMBER 4, 2015 VOTE ON THE RECLAIM SHAVE AS REQUESTED BY THE SENATE ENVIRONMENTAL QUALITY COMMITTEE IN ITS FEBRUARY 12, 2016 LETTER. THE MOTION WAS SECONDED BY MAYOR PRO TEM CACCIOTTI.

COUNCILMAN ROBINSON MADE A SUBSITUTE MOTION TO SIMPLY RECEIVE AND FILE THE STATE SENATE ENVIRONMENTAL QUALITY COMMITTEE'S LETTER. THE MOTION WAS SECONDED BY SUPERVISOR NELSON AND PASSED BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, J. Benoit, Buscaino, McCallon, Mitchell, Nelson, Parker, Robinson and Rutherford.

NOES: Burke, Cacciotti, Lyou.

ABSENT: None.

THE BOARD THEN VOTED ON DR. PARKER'S MOTION TO RECONSIDER THE BOARD'S DECEMBER 2, 2015 VOTE ON REGULATION XX - RECLAIM, WHICH FAILED BY THE FOLLOWING VOTE:

AYES: Burke, Buscaino, Cacciotti, Lyou and Parker.

NOES: Antonovich, B. Benoit, J. Benoit, McCallon, Mitchell, Nelson, Robinson and Rutherford.

ABSENT: None.

### **CLOSED SESSION**

Prior to recessing to Closed Session, the Board received public comment from the following individuals who spoke in support of Dr. Barry Wallerstein and encouraged the Board to protect public health:

Dr. Tom Williams, Sierra Club  
Teresa Villegas, LA County Supervisor Hilda L Solis  
Yvonne Watson, Montebello Resident  
Mark Lopez, East Yard Communities for Environmental Justice  
Javier Garay, East Yard Communities for Environmental Justice  
James Provenzano, Clean Air Now  
Dr. Jim Stewart, Sierra Club  
Bruce Campbell  
Felicia Bander, Sierra Club  
Daryl Gale  
Alfred Sattler  
Dr. Leah Garland  
Steven Goldsmith, Torrance Refinery Action Alliance  
Sylvia Betancourt, Long Beach Alliance for Children with Asthma  
Vern Tuck Taylor, Sierra Club  
Robina Suwol, California Safe Schools  
Evan Gillespie, Sierra Club  
Lizette Hernandez, Sierra Club  
Kent Minault, Sierra Club  
Nidia Erceg, Coalition for Clean Air  
Angela Johnson Meszaros  
Alicia Rivera, Communities for a Better Environment  
Jono Hildner, Sierra Club  
Florence Gharibian, Del Amo Action Communities, LA ES Network  
Luis Magana, Sierra Club  
Stephanie Gonzalez, Sierra Club

Ruben Garza, Sierra Club  
Marina Barragan, Sierra Club  
Monsignor John Moretta  
Raul Medel, Sierra Club  
Jane Williams, California Communities Against Toxics  
Adrian Martinez  
\*Jesse Marquez, Coalition for a Safe Environment  
Selene Hernandez, Sierra Club  
Don Sweat  
Stephen Blagden  
\*Andrea Hricko, USC Professor  
Harvey Eder, Public Solar Power Coalition  
Morgan Wyenn, Natural Resources Defense Council  
Angelo Logan  
Elijah Cervantes, Sierra Club

\*(Submitted Written Comments)

Written Comments Submitted by:

Thomas Bliss, Los Angeles Resident  
Hank Fung  
Erich Bollmann, Los Angeles Resident  
Jean and John Culp, Glendora Resident  
Cynthia Cannady, IP SEVA  
Henry W. Wedaa, SCAQMD Chairman Emeritus  
Maureen Mauk, Torrance Resident  
Linda Mele, Torrance Resident  
Kitty Adams, Adopt a Charger  
Robert and Lana Parke, Torrance Resident  
Sharon Lee Koch, Sierra Club  
Saeed Hashmi, Torrance Resident  
Judy Brunetti, Torrance Resident  
Bonnie Mae Barnard, Torrance Resident  
Mary Ann McFarland, Torrance Resident  
Katie-Jay Scott, Torrance Resident  
Amy Josefek  
Linda Parks, County of Ventura  
Judy Pang, Palos Verdes Estates Resident  
Jim Montgomery, Redondo Beach Resident  
Allis Druffel, California Interfaith Power & Light

The Board recessed to closed session at 12:40 p.m., pursuant to Government Code sections:

- 54956.9(a) and 54956.9(d)(1) to confer with its counsel regarding pending litigation which has been initiated formally and to which the SCAQMD is a party. The actions are:

People of the State of California, ex rel SCAQMD v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; and

In the Matter of SCAQMD v. Southern California Gas Company, Aliso Canyon Storage Facility, SCAQMD Hearing Board Case No. 137-76 (Order for Abatement).

- 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation (one case).
- 54956.9(d)(2) to confer with legal counsel for:

Facts: Executive Officer Performance  
Evaluation/Discipline/Dismissal/Release/Resignation

- 54957 as specified below:

PUBLIC EMPLOYEE PERFORMANCE  
EVALUATION/DISCIPLINE/DISMISSAL/RELEASE/RESIGNATION

Title: Executive Officer

PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT

Title: Acting Executive Officer

Following closed session, the Board reconvened in open session at 1:40 p.m. General Counsel Kurt Wiese announced that action was taken regarding the Dismissal of the Executive Officer by a vote of 7 to 6; and action taken regarding the Appointment of Acting Executive Officer, Michael O'Kelly, was passed unanimously.

He noted that a report of reportable actions taken in closed session will be filed with the Clerk of the Board's office and made available to the public upon request.

39. Annual RECLAIM Audit Report for 2014 Compliance Year

Mohsen Nazemi, DEO/Engineering and Compliance, gave the staff presentation.

(Councilman Buscaino left at 1:50 p.m.)

The public hearing was opened and the following individuals addressed the Board on Agenda Item 39.

DR. JIM STEWART, Sierra Club

Explained that the RECLAIM program is in need of revisions as it is not effective at making life-saving reductions to air contaminants.

HARVEY EDER, Public Solar Power Coalition

Noted that solar technologies should be considered as a feasible technology for RECLAIM facilities.

There being no further public testimony on this item, the public hearing was closed.

MOVED BY J. BENOIT, SECONDED BY NELSON, AGENDA ITEM NO. 39 APPROVED AS RECOMMENDED BY STAFF, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, J. Benoit, Burke, Cacciotti, Lyou, McCallon, Mitchell, Nelson, Parker, Robinson and Rutherford.

NOES: None.

ABSENT: Buscaino.

40. Approve and Adopt Technology Advancement Office 2015 Clean Fuels Program Annual Report, 2016 Plan Update, and Resolution 

Staff waived the presentation on Item No. 40.

The public hearing was opened and the following individual addressed the Board on Agenda Item 40.

HARVEY EDER, Public Solar Power Coalition

Noted that solar technologies have been shown to be cost-effective and a proven technology and result in tremendous NOx reductions.

There being no further public testimony on this item, the public hearing was closed.

MOVED BY CACCIOTTI, SECONDED BY MITCHELL, AGENDA ITEM 40. APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 16-6 APPROVING THE TECHNOLOGY ADVANCEMENT OFFICE CLEAN FUELS PROGRAM ANNUAL REPORT FOR 2015 AND ADOPTING THE CLEAN FUELS PROGRAM PLAN UPDATE FOR 2016, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, J. Benoit, Burke, Cacciotti, Lyou, McCallon, Mitchell, Nelson, Parker and Robinson.

NOES: None.

ABSENT: Buscaino and Rutherford.

**PUBLIC COMMENT PERIOD** – (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3)

Harvey Eder, Public Solar Power Coalition, spoke about the dangers of climate change and expressed support for conversion to solar powered technologies.

Dr. Tom Williams, Citizens Coalition for a Safe Community, noted concerns regarding odors associated with the Sunshine Canyon Landfill; and urged for monitoring data and compliance documentation to be easily accessible to the public on the District's website.

Alfred Sattler, urged that NOx and PM emissions from locomotive engines be included in the petitioning of U.S. EPA to adopt lower standards. He also spoke about the dangers associated with the use of modified hydrofluoric acid at local refineries.

42. Public Employee Compensation/Severance

Kurt Wiese noted that there had been discussion to modify Dr. Wallerstein's severance pay to equal 18 months of base salary, as opposed to the maximum of 12 months of total compensation set forth in his employment contract.

Supervisor Benoit commented on the potential benefit of offering Dr. Wallerstein the option of receiving a severance amount equal to 18 months of base salary.

Supervisor Nelson cautioned against changing the terms of a contract that has already been negotiated and been in effect.

SUPERVISOR BENOIT MOVED TO ALLOW FOR A NEGOTIATION TO OCCUR WITH DR. WALLERSTEIN REGARDING A MODIFICATION OF THE CONTRACTED SEVERANCE PACKAGE TO PROVIDE FOR A LUMP SUM PAYMENT EQUIVALENT TO 18 MONTHS OF BASE PAY OR ALTERNATIVELY 12 MONTHS OF TOTAL COMPENSATION, NEITHER OF WHICH WOULD EXCEED THE ORIGINAL CONTRACTED SEVERANCE AMOUNT. THE MOTION WAS SECONDED BY MAYOR PRO TEM CACCIOTTI AND PASSED BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, J. Benoit, Burke, Cacciotti, Lyou, McCallon, Mitchell, Parker and Robinson.

NOES: Nelson and Rutherford.

ABSENT: Buscaino.

43. Public Employee Compensation

The Board did not take any action on Item 43.

**ADJOURNMENT**

There being no further business, the meeting was adjourned by Chairman Burke at 2:15 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on March 4, 2016.

Respectfully Submitted,

Denise Garzaro  
Senior Deputy Clerk



Date Minutes Approved: \_\_\_\_\_

---

Dr. William A. Burke, Chairman

---

**ACRONYMS**

AQMP = Air Quality Management Plan  
CARB = California Air Resources Board  
CEQA = California Environmental Quality Act  
EJ = Environmental Justice  
EV = Electric Vehicle  
FY = Fiscal Year  
GHG = Greenhouse Gas  
NOx = Oxides of Nitrogen  
PM2.5 = Particulate Matter < 2.5 microns  
RFP = Request for Proposals  
U.S. EPA = United States Environmental Protection Agency

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 2

PROPOSAL: Set Public Hearings May 6, 2016 to:

- (A) Amend Rule 306 – Plan Fees. The proposed amendment to Rule 306 would make administrative changes to extend the payment due date for remittance of initial plan fees and plan annual renewal fees from 30 to 60 days to be consistent with other fees in Regulation III – Fees. In addition, PAR 306 would update the list of plans in subdivision (h) of Rule 306 that are subject to annual review/annual renewal fees. (Review: Special Governing Board Meeting/Budget Study Session, April 8, 2016)
- (B) Receive Public Input on Executive Officer’s Draft Goals & Priority Objectives for FY 2016-17. A set of draft goals for the FY 2016-17 Budget has been developed. The Executive Officer wishes to receive public and Board Member input on these goals and priority objectives as they serve as the foundation of SCAQMD’s Work Program. (Review: Administrative Committee, February 12 and April 8, 2016)
- (C) Adopt FY 2016-17 SCAQMD Budget and Work Program. The Executive Officer’s budget for FY 2016-17 has been developed and the Executive Officer wishes to receive public and Board member input on the draft budget. It will also be presented to the Budget Advisory Committee and at a public workshop in April with recommendations and comments provided to the Board by April 15, 2016. (Review: Special Governing Board Meeting/Budget Study Session, April 8, 2016)

The complete text of the proposed amendments, staff reports and other supporting documents will be available from the District’s Public Information Center, (909) 396-2550 and on the Internet ([www.aqmd.gov](http://www.aqmd.gov)) as of April 6, 2016.

**RECOMMENDED ACTION:**

Set Public Hearings May 6, 2016 to amend Rule 306, receive public input on the Executive Officer's Draft Goals & Priority Objectives for FY 2016-17, and adopt the FY 2016-17 SCAQMD Budget and Work Program.

Michael B. O'Kelly  
Acting Executive Officer

sm

---

 [Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 2B

**PROPOSAL:** Set Public Hearing May 6, 2016 to Receive Public Input on Executive Officer's Draft Goals and Priority Objectives for FY 2016-17

**SYNOPSIS:** A set of goals and priority objectives for the FY 2016-17 Budget has been developed. The Executive Officer wishes to receive public and Board Member input on these goals and priority objectives as they serve as the foundation of SCAQMD's Work Program.

**COMMITTEE:** Administrative, February 12, and April 8, 2016, Review

**RECOMMENDED ACTION:**

Set a Public Hearing on May 6, 2016 to receive public input on the Executive Officer's Goals and Priority Objectives for FY 2016-17.

Michael B. O'Kelly  
Acting Executive Officer

MBO

---

**Attachment**

Draft Goals & Priority Objectives for FY 2016-17

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
DRAFT GOALS AND PRIORITY OBJECTIVES FOR FY 2016-2017**

**MISSION STATEMENT**

“All residents have a right to live and work in an environment of clean air and we are committed to undertaking all necessary steps to protect public health from air pollution with sensitivity to the impacts of our actions on the community, public agencies and businesses.”

**VALUES**

- S** Sound scientific, technical, and legal basis for actions
- C** Customer service
- A** Air that is healthful to breathe
- Q** Quality programs that are effective and efficient
- M** Multiple partnerships and collaboration with stakeholders
- D** Developing solutions for the future

**GOALS AND PRIORITY OBJECTIVES**

The following Goals and Priority Objectives have been identified as being critical to meeting SCAQMD’s Mission in Fiscal Year 2016-17.

**GOAL I. Ensure expeditious progress toward meeting clean air standards and protecting public health.**

Priority Objective/Project	Outcome
1. Development of the 2016 AQMP	Finish development of the 2016 AQMP (Plan), bring to the Board for adoption, and submit the Plan into the SIP. Ensure the Plan is a comprehensive attainment strategy to meet the federal 8-hour ozone (75 ppb) and annual PM2.5 (12 ug/m3) air quality standards by the statutory deadlines. Include control measures and modeling to demonstrate attainment of the standards. Early action measures will be identified and implemented, if needed, to further ensure attainment of the federal 24-hour PM2.5 standard. The Plan will also update the 1-hour ozone and the 1997 8-hour ozone SIPs to demonstrate progress toward attainment. Plan, organize and execute basin-wide outreach on the 2016 AQMP that will provide detailed information on the proposed control measures to stakeholders through a series of workshops and public meetings to be held in the counties of Los Angeles, San Bernardino, Riverside, and Orange and the Coachella Valley.
2. Implementation of OEHHA Revised Health Risk Assessment Guidelines	Implement the OEHHA guidelines and use in SCAQMD programs. Complete analysis related to impacts on spray booths and gas stations and develop recommendations for potential rule changes.

**GOAL I. Ensure expeditious progress toward meeting clean air standards and protecting public health. (Cont.)**

Priority Objective/Project	Outcome
3. Implementation of socioeconomic analysis enhancements	Continue to implement the action plan approved by the Governing Board in 2014 to address recommendations contained in the November 2014 Abt Associates report.
4. Development of the 2016 Air Toxics Control Plan	Complete update to the 2010 Clean Communities Plan and incorporate into the 2016 AQMP. Include identification of toxic emission reduction co-benefits from the AQMP in the control strategy.
5. Cutting-edge of Air Monitoring and Laboratory Capabilities	Continue investing in and deploying state of the art monitoring and analytical tools and technologies in stationary and mobile platforms. Specifically, continue to develop optical remote sensing technologies to provide continuous and enhanced pollutant assessment and visualization capabilities in real and near-real time for criteria pollutants, toxics, metals and GHGs.
6. Zero-emission lawn and garden equipment	Execute agreements with participating public entities and conduct a loaner program for zero-emission lawn and garden equipment to promote their environmental benefits and efficacy. Continue program outreach and inter-organization coordination to ensure smooth implementation of the program.
7. Next-generation natural gas engine/hybrid vehicles	Develop 12 and 6.7 liter natural gas heavy-duty engines that are 90% cleaner than the current emissions standard for NOx, including the option for integration with hybrid systems and alternative fuels that will provide additional NOx reductions.
8. Develop and demonstrate zero-emission goods movement technologies	Continue to work with the DOE, CEC, CARB, the Ports and others to develop and demonstrate zero-emission miles in goods movement technologies. On the federal level, continue to work with the US Congress, the Administration, US DOE, US EPA, US DOT and other federal agencies to secure funding and policy support to facilitate the development, demonstration, deployment, and commercialization of zero and near-zero emission goods movement transportation technologies for on-road and off-road vehicles and marine vessels. Coordinate these actions with national outreach efforts to develop a nationwide supportive stakeholder network comprised of partners from various sectors, including industry, environmental, government, and academia. Continue similar work with the California Legislature, the Governor, and other stakeholders to secure such funding and policy support for zero and near-zero emission goods movement transportation technologies.
9. Updating and enhancement of the Carl Moyer Program	Following the adoption of SB 513 into law, work closely with CARB and CAPCOA to develop the enhanced Carl Moyer Program guidelines allowing expansion of project categories, leveraging of funds, increasing cost-effectiveness limit to fund advanced technologies, and improving implementation efficiency.

**GOAL I. Ensure expeditious progress toward meeting clean air standards and protecting public health. (Cont.)**

Priority Objective/Project	Outcome
10. Proposition 1B-Goods Movement Program	Implement goods movement modernization projects for heavy-duty trucks, locomotives, and cargo handling equipment in accordance with CARB's program guidelines.
11. Incentive Funding Programs	Continue the implementation of the Carl Moyer, Proposition 1B-Goods Movement, Lower-Emission School Bus, Lawnmower Exchange, and other incentive funding programs to achieve early and surplus emissions reductions. Continue outreach for the various incentive programs, connecting with elected officials, businesses, and community members as well as the general public to increase awareness of the programs. Use all available social media and marketing to broaden the outreach; and continue inter-department coordination to successfully implement each program.
12. Ensure compliance through a program that includes using community-based and/or industry-specific deployment of field personnel	Inspect all Major or RECLAIM sources at least annually and inspect all chrome plating facilities quarterly. Conduct a total of 20,000 site visits for compliance evaluations and perform inspections of 3,300 portable equipment and 1,800 Asbestos demolition or renovation activities. Continue targeted evaluation program for select industries, including but not limited to, metal processing, and oil production. Conduct 40 Team Inspections at selected facilities. Continue to further develop inventory, implement rules, and inspect area sources of emissions. On a case by case basis SBA Team will continue support of E&C's compliance efforts by handling referrals seeking help with permit applications forms, recordkeeping, understanding of air quality rules and regulations, etc., to their compliance with air quality rules and regulations. Also through coordinated efforts with SCAQMD's EJ Coordinator, develop new and build upon existing relationships with communities and businesses to increase rule compliance.
13. Ensure compliance through a program that includes timely processing of permit applications for stationary sources	Process a total of 7,000 applications, including 1,800 Permits to Construct (new construction, modification or relocations). Process all Title V Permit Renewals in timely manner and meet all statutory requirements. Through SCAQMD's Small Business Assistance program help more local businesses understand the permit process, prepare and submit permit applications, and expand efforts to educate small business owners about the agency and compliance. Continue the program's expanded outreach to help ensure continued compliance through efforts to more widely distribute the Air Quality Permit Checklist and through the ongoing Expired Permit Outreach Program. Continue to hold meetings with the permit streamlining working group.

**GOAL I. Ensure expeditious progress toward meeting clean air standards and protecting public health. (Cont.)**

Priority Objective/Project	Outcome
<p>14. Continue to implement SCAQMD's Environmental Justice (EJ) policies and programs, and other initiatives directed at equitable treatment for all communities and sensitive populations</p>	<p>Work with residents and community leaders in disproportionately impacted communities to remedy their air quality concerns. Increase partnerships with health, educational, and other organizations in impacted communities. Better communicate, coordinate and streamline agency response to EJ-related concerns, in part through the execution of SCAQMD's Environmental Justice Community Partnership, SCAQMD's initiative offering workshops and forums to strengthen the agency's partnership with both EJ thought leaders and community stakeholders, while increasing awareness of SCAQMD's targeted efforts to mitigate air pollution specifically in and around adversely impacted EJ communities. To further these objectives in 2016-17, hold community outreach events, one in each county, to recognize local EJ leaders and host a second Environmental Justice conference to broaden all stakeholders' awareness of SCAQMD EJ-related programs as well as SCAQMD's awareness of local EJ community concerns so we can work together towards resolving air quality related EJ issues in the basin. Prioritize representation of SCAQMD on community task forces and other organizations as appropriate, including business organizations, to help mitigate current and prevent future air quality impacts.</p>
<p>15. Enhance community response program</p>	<p>Assess current SCAQMD community response program and identify measurement techniques and protocols with consideration to recurring types of community concerns, and update the program accordingly to be more informative and responsive to impacted communities in a timelier manner. Develop an enhanced communication plan to inform the community regarding complaints. Continue to maintain, build upon, and update our outreach databases and management systems to communicate more effectively with stakeholders, impacted communities and the public. Incorporate rapid response protocols that can be implemented in the SCAQMD's social media presence, website, communication center, and media department in a coordinated fashion to more effectively communicate to the impacted communities and their local, state, and federal elected representatives and the general public.</p>
<p>16. Prioritize prosecution of high-impact enforcement cases to maximize deterrence for air pollution violations and protect public health</p>	<p>Enhance prosecution of high-impact enforcement cases, such as prosecutions of major or serial violators, major air toxics releases, significant public nuisance cases, or companies having violations at several locations. Achieve satisfactory resolution of these cases to reduce health impacts and provide for future deterrence.</p>



**GOAL I. Ensure expeditious progress toward meeting clean air standards and protecting public health. (Cont.)**

<b>Priority Objective/Project</b>	<b>Outcome</b>
17. Develop and demonstrate low-emission energy generation technology as well as energy storage options	Continue demonstration projects and continue working with stakeholders to facilitate additional power options.
18. Promote, support and partner with other organizations and groups on strategies and programs to encourage multi-modal forms of transportation.	Promotion of bus, light rail, heavy rail, and bicycle usage through partnerships resulting in reduction of traffic congestion and improved air quality and health.
19. Update Digital Advisor delivery platform.	Develop a universal interactive Digital Advisor that can be simultaneously delivered across all tablet and PC platforms.
20. Ensure compliance through Small Business outreach programs	Execute the continued expansion of SCAQMD’s Small Business Assistance programs to increase small business owners’ and operators understanding of the agency and compliance requirements. Programs to include: (1) introduction of revised form and increase effective usage of the Air Quality Permit Checklist (AQPC) that helps to determine businesses’ air quality requirements and expedites their receipt of SCAQMD clearance letters; and (2) the ongoing implementation of the Expired Permit Outreach Program (EPOP) that prevents small businesses from incurring costly fees due to failure to properly renew their air quality permit(s).

**GOAL II. Enhance public education and ensure equitable treatment for all communities.**

<b>Priority Objective/Project</b>	<b>Outcome</b>
1. Continue implementation of the Clean Communities Plan Pilot Studies in Boyle Heights and San Bernardino and complete implementation of the U.S. EPA Targeted Air Shed Grant	Complete the implementation of the Clean Communities Plan Pilot Studies in Boyle Heights and San Bernardino. Seek other opportunities to apply for U.S. EPA Targeted Air Shed Grant funding to support emission reduction projects benefiting impacted communities in the basin.
2. Continue with full-scale implementation of state-of-the-art air monitoring technologies	Continue with the comprehensive efforts to test emerging “low-cost sensors” for accuracy and performance through AQ-SPEC. Deploy several pilot sensor networks, especially in EJ communities, to help validate enhanced low-cost continuous air quality monitoring capabilities for the SCAQMD, the regulated community and the public. Also conduct optical remote sensing to quantify emissions and their dispersion over EJ communities near large refineries and other sources. Communicate findings to the public and explore collaborative opportunities with entities interested in utilizing such sensors and technologies for community-based monitoring. Plan specific outreach opportunities to promote AQ-SPEC, particularly in Southland disadvantaged communities.

**GOAL II. Enhance public education and ensure equitable treatment for all communities. (Cont.)**

Priority Objective/Project	Outcome
3. Employ the latest communication technologies; engage in community based programs and outreach events; and foster relationships with traditional media outlets	Creatively and actively engage the public, through town hall and community meetings, video and PSA messages relayed through local cable and Public, Education and Government channels, specifically themed or targeted outreach events links to public interest and environmental and health concerns. Further improve agency engagement with the public through more effective use of website, video and social and digital media tools (i.e. smartphone app, the digital Advisor, YouTube, Facebook, Twitter, email blasts, etc.), as well as the integration of other possible communication platforms to deliver information and messages in a timely manner. Expand upon the recent launching of SCAQMD’s comprehensive social media campaigns. Develop and share short educational videos and special targeted publications that further the public’s knowledge about SCAQMD rules, actions, jurisdiction, and programs.
4. Implementation of the EFMP and EFMP Plus-Up Program	The first year of the Enhanced Fleet Modernization Program (EFMP) and EFMP Plus-Up has been successfully implemented. Staff will be working with CARB to develop a long-term program for sustained funding. Continue program outreach and education, specifically in disadvantaged communities and work with interested legislative members to expand outreach to their constituencies.
5. Continue timely response to community complaints	Respond to all air quality complaints received by SCAQMD in a timely manner.

**GOAL III. Operate efficiently and in a manner sensitive to public agencies, businesses, the public and SCAQMD staff.**

Priority Objective/Project	Outcome
1. Maintain a knowledgeable, professional and well-trained staff	Provide training and educational opportunities to ensure up-to-date expertise and competency in core agency functions. Develop leadership development programs and opportunities to ensure a smooth transition of key leadership positions within the agency.
2. Continue to overhaul SCAQMD's information technology systems, including the use of state-of-the-art software, hardware, and communications systems to improve overall agency effectiveness and efficiency	Continue the phased replacement of server and desktop hardware and software. Expand server virtualization and private cloud capabilities, along with public cloud capabilities. Initiate the upgrade of the agency data network infrastructure. Continue to implement electronic document workflow and storage through implementation of the agency enterprise content management system.  Continue effort to further enhance and improve website’s ease of use based on the website evaluation; and implement

**GOAL III. Operate efficiently and in a manner sensitive to public agencies, businesses, the public and SCAQMD staff. (Cont.)**

Priority Objective/Project	Outcome
<p>2. Continue to overhaul SCAQMD's information technology systems, including the use of state-of-the-art software, hardware, and communications systems to improve overall agency effectiveness and efficiency (Cont.)</p>	<p>responsive design capabilities for application use across all computing devices including desktops, laptops, tablets and mobile phones. Continue work on development and implementation of a web-based applications to provide compliance, financial, permitting and GIS information to improve overall agency effectiveness and operational activities. Continue expansion of SCAQMD's e-government/e-commerce capabilities by providing for additional permit application filing, plan filing and compliance notification form filing capabilities.</p>
<p>3. Provide excellent customer service to all stakeholders</p>	<p>Ensure that all stakeholders are treated as partners, and that regulations, requirements and objectives are made clear early in the permitting, rulemaking and planning processes. Work with stakeholders in a cooperative and collaborative manner toward air quality goals and related activities in a timely and cost-effective manner, always seeking to balance priorities of public health protections, business retention, economic growth, and job creation, while meeting Federal and State Clean Air Laws.</p>
<p>4. Build and maintain partnerships with public agencies, stakeholder groups and the business community</p>	<p>Further enhanced outreach programs to public agencies in areas including, but not limited to, rulemaking and rule implementation and enforcement, regional air quality impacts and attainment strategies, and other issues affecting public agencies, especially local government. Develop partnerships with local jurisdictions and regional agencies, and seek cooperative strategies for achieving air quality goals and objectives while supporting local control and sustainable economic growth, and leveraging local efforts to improve the health and well-being of residents. Develop new partnerships with the business and regulated communities, as well as environmental justice, environmental, health-based organizations, and community groups – especially environmentally conscientious youth groups – through outreach to, and participation in, various activities, conferences, and other opportunities to cultivate early and continuing cooperative relationships. Build relationships outside of California to broaden support for SCAQMD's federal priorities.</p>
<p>5. Ensure rulemaking is transparent and inclusive</p>	<p>Continue to work with all stakeholders early and continuing through the rule development process. Include all interested stakeholders, including business, local agencies, environmental justice and environmental groups, and the communities that will be affected, in the rulemaking process, and provide ample opportunity for input and collaboration.</p>

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 3

PROPOSAL: Recognize Funds and Issue RFP for In-Use Emissions Testing of On-Road Heavy-Duty Vehicles 

SYNOPSIS: Assessment of in-use emissions from heavy-duty vehicles remains a critical component for measuring the effectiveness of engine, fuel and aftertreatment technologies as well as the South Coast Air Basin's progress toward achieving the federal ambient air quality standards. SCAQMD staff proposes to conduct in-use emissions testing, fuel usage profile characterization, and an impact assessment of current technology and alternative fuels on fuel consumption and in-use emissions from heavy-duty vehicles in various vocations. This action is to recognize funds of up to \$2.5 million from CEC and the Southern California Gas Company to cofund this project. This action is to also issue an RFP to solicit proposals to conduct in-use emissions testing, fuel usage profile characterization, and an impact assessment of current technology and alternative fuels on fuel consumption and in-use emissions from heavy-duty vehicles.

COMMITTEE: Technology, March 18, 2016; Recommended for Approval

RECOMMENDED ACTIONS:

1. Recognize, upon receipt, up to \$2.5 million from CEC and the Southern California Gas Company (SoCalGas) into the Clean Fuels Fund (31) to conduct in-use emission testing, fuel usage profile characterization, and an impact assessment of current technology and alternative fuels on fuel consumption and in-use emissions from heavy-duty vehicles.
2. Issue RFP #P2016-19 to solicit proposals to conduct in-use emission testing, fuel usage profile characterization, and an impact assessment of current technology and alternative fuels on fuel consumption and in-use emissions from heavy-duty vehicles.

Michael B. O'Kelly  
Acting Executive Officer

## **Background**

On-road heavy-duty engines are now subject to the 2010 U.S. EPA emissions standards of 0.01 gram per brake-horsepower-hour (g/bhp-hr) PM and 0.2 g/bhp-hr NO<sub>x</sub>. However, engine manufacturers are still using emissions credits which allow them to produce a mixture of engines certified at or below 0.2 g NO<sub>x</sub> and engines certified at a level higher than 0.2 g NO<sub>x</sub> to comply with emissions standards on an average basis. While recent studies have shown NO<sub>x</sub> and PM emissions are reduced from heavy-duty vehicles powered by modern-technology engines, emissions from heavy-duty vehicles still dominate the total basinwide NO<sub>x</sub> and PM emissions. In addition, a new heavy-duty natural gas engine recently certified by CARB achieves a 90% lower NO<sub>x</sub> emissions level than the current 2010 engine emissions standard. Therefore, additional assessment of in-use vehicle emissions remains a critical component for measuring the effectiveness of engine, fuel and aftertreatment technologies and improving emission inventories for air quality modeling and planning as well as developing effective strategies toward achieving the federal ambient air quality standards.

## **Proposal**

These actions are to recognize up to \$2.5 million from CEC and the Southern California Gas Company (SoCalGas) for in-use emissions testing of heavy-duty vehicles and to issue RFP #P2016-19 to solicit proposals to conduct in-use emissions testing, fuel usage characterization, and an impact assessment of current technology and alternative fuels on fuel consumption and in-use emissions from heavy-duty vehicles used in various vocations.

The test vehicles will involve up to 200 on-road heavy-duty vehicles used in transit, school bus, refuse, delivery and goods movement applications and powered by engines fueled with alternative fuels, conventional and alternative diesel fuels, and a combination of diesel and natural gas (dual) fuels. The engines will be categorized into seven groups including natural gas engines certified at or below 0.2 g/bhp-hr NO<sub>x</sub>, natural gas engines certified at or below 0.02 g/bhp-hr NO<sub>x</sub>, diesel engines certified at or below 0.2 g/bhp-hr NO<sub>x</sub>, diesel engines without selective catalytic reduction, dual fuel engines, and alternative fuel engines (hybrid and fully electric technology).

Proponents will be required to instrument test vehicles with portable emissions measurement systems (PEMS), portable vehicle activity measurement systems (PAMS), and other hardware to monitor daily vehicle activities, fuel usage profile and emissions. Proponents will then use the PEMS' and PAMS' results to recommend whether to develop new or improved or retain existing vocation-based heavy-duty drive cycles. In addition, proponents will be required to: 1) perform chassis dynamometer tests of a number of selected test vehicles, 2) instrument a number of test vehicles used in delivery and good movement applications with laboratory-grade test equipment to

assess real-world in-use emissions, fuel usage profile, and engine aftertreatment technology performance as the vehicles are driven over typical vocation routes, 3) match vehicle technologies to vocations for which technology benefits can be maximized, and 4) provide recommendations on how to prioritize staff and financial resources to support advanced engine and aftertreatment technology research and demonstration programs.

### **Outreach**

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

Additionally, potential bidders may be notified utilizing SCAQMD's own electronic listing of certified minority vendors. Notice of the RFP 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 SCAQMD's website (<http://www.aqmd.gov>) where it can be viewed by making the selection "Grants & Bids".

### **Bid Evaluation**

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

### **Benefits to SCAQMD**

The proposed project will be used to measure the effectiveness of engine, fuel and aftertreatment technologies, improve emission inventories for air quality modeling and planning, and match vehicle technologies to vocations for which technology benefits can be maximized as well as to develop effective strategies toward achieving the federal ambient air quality standards. The proposed project is included in the *Technology Advancement Office Clean Fuels Program 2016 Plan Update* under "Fuel/Emissions Studies."

### **Resource Impacts**

Potential bidders will provide the total cost of the proposed project. SCAQMD staff anticipates the RFP will result in the recommendation of approximately one to three awards based on the availability of funds and the quality of proposals received.

Sufficient funds are available from the Clean Fuels Program Fund, established as a special revenue fund resulting from the state-mandated Clean Fuels Program. The Clean Fuels Program, under Health and Safety Code Sections 40448.5 and 40512 and Vehicle Code Section 9250.11, establishes mechanisms to collect revenues from mobile

sources to support projects to increase the utilization of clean fuels, including the development of the necessary advanced enabling technologies.

Funds collected from motor vehicles are restricted, by statute, to be used for projects and program activities related to mobile sources that support the objectives of the Clean Fuels Program.

**Attachment**

RFP #P2016-19 – In-Use Emissions Testing and Fuel Usage Profile of On-Road Heavy-Duty Vehicles



## **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

### **REQUEST FOR PROPOSALS**

#### **In-Use Emissions Testing and Fuel Usage Profile of On-Road Heavy-Duty Vehicles**

#P2016-19

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

#### **PURPOSE**

The SCAQMD is seeking proposals from Contractor Teams to conduct in-use emissions testing, characterize fuel usage profile, develop new or improve existing heavy-duty vehicle drive cycles, and assess the impact of current technology and alternative fuels on fuel consumption and in-use emissions from on-road heavy-duty vehicles with Gross Vehicle Weight Rating (GVWR) greater than 14,000 pounds (lb.) and used in transit, school bus, refuse, delivery and goods movement applications. The Contractor Team must consist of, at a minimum, a heavy-duty vehicle emission testing laboratory and individuals with many years of experience in developing vocation-based heavy-duty drive cycles and evaluating a wide range of engine, aftertreatment, diesel fuel, alternative fuel and energy technologies for heavy-duty vehicles. The prospective prime contractor will be responsible for coordinating all aspects of this project including obtaining regulatory permits (if needed), securing test vehicles, scheduling and coordinating all installations and emissions testing, conducting data analysis and preparing reports.

The test vehicles will involve up to 200 on-road heavy-duty vehicles with GVWR greater than 14,000 pounds (lb.) and used in transit, school bus, refuse, delivery and goods movement applications. The test vehicles are limited to those powered by engines fueled with alternative fuels (fossil fuel-based and renewable natural gas, propane, electric and hybrid), conventional and alternative diesel fuels, and a combination of diesel and natural gas (dual) fuels. The engines are categorized into six groups including:

- Model year (MY) 2010 – 2015 natural gas engines certified at or below 0.20 gram per brake horsepower hour (g/bhp-hr) nitrogen oxides (NOx);
- Natural gas engines certified to California Air Resources Board (CARB) optional standard at or below 0.02 g/bhp-hr NOx;
- MY 2010 - 2015 diesel engines certified at or below 0.20 g/bhp-hr NOx;
- Diesel engines with no selective catalytic reduction (SCR) systems;
- Dual fuel engines; and
- Alternative fuel engines (hybrid and fully electric technology).

Prospective proposers will be required to instrument up to 200 test vehicles with portable emissions measurement systems (PEMS), portable vehicle activity measurement systems (PAMS), and other hardware to monitor daily vehicle activities, fuel usage profile and emissions. Prospective proponents will then use the PEMS' and PAMS' results to recommend



whether to develop new or improved or retain existing vocation-based heavy-duty drive cycles. In addition, prospective proponents will be required to:

- Perform chassis dynamometer tests of up to 60 test vehicles using the developed or improved or existing drive cycles;
- Instrument up to 10 test vehicles used in delivery and goods movement applications with laboratory-grade test equipment to assess real-world in-use emissions, fuel usage profile, and engine aftertreatment technology performance as the vehicles are driven over typical vocation routes;
- Develop deterioration factors for engine aftertreatment technologies employed on up to 8 test vehicles; and
- Based on the test results, provide recommendations to improve CARB EMFAC model (if needed), identify technology issues and how to mitigate them, prioritize SCAQMD and the California Energy Commission (CEC) staff and financial resources to support advanced engine and aftertreatment technology research and demonstration programs, and match vehicle technologies to vocations for which technology benefits can be maximized.

**INDEX - The following are contained in this Request for Proposals (RFP):**

Section I	Background/Information
Section II	Contact Person
Section III	Schedule of Events
Section IV	Participation in the Procurement Process
Section V	Statement of Work/Schedule of Deliverables
	A. Statement of Work
	i. Task 1 – Test Vehicle Selection and Regulatory Permits
	ii. Task 2 – Test Vehicle Activity Protocol
	iii. Task 3 – In-Use Chassis Dynamometer Emissions Test
	iv. Task 4 – Real-World In-Use Emission Tests
	v. Task 5 – Aftertreatment Technology Deterioration Factors
	vi. Task 6 – Technology Impact, Shortfall, Improvement and Benefits
	vii. Task 7 – Comparison of In-Use Emissions and EMFAC Factor
	B. Schedule of Deliverables
Section VI	Required Qualifications
Section VII	Proposal Submittal Requirements
	VOLUME I – TECHNICAL PROPOSAL
	VOLUME II – COST PROPOSAL
Section VIII	Proposal Submission
Section IX	Proposal Evaluation/Contractor Selection Criteria
Section X	Funding
Section XI	Sample Contract
Attachment A - Participation in the Procurement Process	
Attachment B - Certifications and Representations	

**SECTION I: BACKGROUND/INFORMATION**

On-road heavy-duty engines are now subject to the 2010 U.S. EPA emissions standards of 0.01 g/bhp-hr PM and 0.20 g/bhp-hr NOx. However, engine manufacturers are still using emissions credits which allow them to produce a mixture of engines certified at or below 0.20 g NOx and engines certified at a level higher than 0.20 g NOx to comply with the emissions standards on an average basis. These engines are broadly classified as natural gas stoichiometric engines with three-way catalysts and lean-burn engines with exhaust gas recirculation (EGR) and selective catalytic reduction (SCR) systems, high pressure direct injection dual-fuel engines equipped with SCR systems, diesel engines with advanced EGR and diesel particulate filter (DPF) technology, and diesel engines with DPF and urea-based SCR technology. While recent studies have shown NOx and PM emissions are reduced from heavy-duty vehicles powered by modern-technology engines, emissions from heavy-duty vehicles still dominate the total basin-wide NOx and PM emissions. Therefore, additional assessment of in-use vehicle emissions remain a critical component for measuring the effectiveness of engine, fuel and aftertreatment technologies and improving emission inventories for air quality modeling and planning as well as developing effective strategies toward achieving the federal ambient air quality standards. SCAQMD, CEC and the Southern California Gas Company (SoCalGas) seek to conduct in-use emissions testing, fuel usage characterization, and an impact assessment of current technology and alternative fuels on fuel consumption and in-use emissions from on-road heavy-duty vehicles with GVWR greater than 14,000 lb and used in transit, school bus, refuse and goods movement applications. The test and assessment results will be used to:

- Develop or improve vocation-based drive cycles and emissions inventory;
- Develop deterioration factors for engine and aftertreatment technologies;
- Identify technology issues and how to mitigate them;
- Prioritize staff and financial resources to support advanced engine and aftertreatment technology research and demonstration programs; and
- Match vehicle technologies to vocations to maximize technology benefits.

The proposed RFP supports the implementation of advanced alternative fuel technology that could potentially reduce NOx and PM emissions from on-road heavy-duty vehicles.

**SECTION II: CONTACT PERSON:**

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

Adewale Oshinuga\*\*  
Program Supervisor  
Science and Technology Advancement  
SCAQMD  
21865 Copley Drive  
Diamond Bar, CA 91765-4178  
(909) 396-2599

\*\*Please note: All interested parties in this RFP (#P2016-19), including potential bidders and those seeking to join a bidding team, are encouraged to periodically visit the SCAQMD website at [www.aqmd.gov/rfp](http://www.aqmd.gov/rfp). Clarifications will be provided to frequently asked questions.

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

<b>Date</b>	<b>Event</b>
April 1, 2016	RFP Released
May 6, 2016	Bidders' Conference*
June 10, 2016	Proposals Due to SCAQMD - <b>No Later Than 5:00 pm</b>
June 13 – June 24, 2016	Proposal Evaluations
July 22, 2016	Technology Committee
September 2, 2016	Governing Board Approval
October 7, 2016	Anticipated Contract Execution

\*Participation in the Bidders' Conference is optional. Such participation would assist in notifying potential bidders of any updates or amendments. Any questions from prospective bidders or interested parties should be directed, with reference to this RFP, to Adewale Oshinuga, via [aoshinuga@aqmd.gov](mailto:aoshinuga@aqmd.gov). Bidders planning to attend the Bidders' Conference should notify Adewale Oshinuga by email before the close of business day, May 5, 2016. The Bidders' Conference will be held in Room CC3-5 at SCAQMD Headquarters in Diamond Bar, California, at 10:00 a.m. on Friday, May 6, 2016.

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

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

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

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

The purpose of the RFP is to solicit proposals to conduct in-use emissions testing, characterize fuel usage profiles, develop new or improve existing heavy-duty vehicle drive cycles, and assess the impact of current technology and alternative fuels on fuel consumption and in-use emissions from on-road heavy-duty vehicles with GVWR greater than 14,000 lb. Prospective proponents will be required to instrument up to 200 test vehicles used in transit, school bus, refuse, delivery and goods movement applications with PEMS, PAMS, and other hardware to monitor daily vehicle activities, fuel usage profiles and emissions. Prospective proponents will then use the PEMS' and PAMS' results to recommend whether to develop new or improved or retain existing vocation-based heavy-duty drive cycles. In addition, prospective proponents will be required to:

- Perform chassis dynamometer tests of up to 60 test vehicles using the developed or improved drive cycles;

- Instrument up to 10 test vehicles used in delivery and goods movement applications with laboratory-grade test equipment to assess real-world in-use emissions, fuel usage profiles, and engine aftertreatment technology performance as the vehicles are driven over typical vocation routes;
- Develop deterioration factors for engine aftertreatment technologies up to 8 test vehicles; and
- Based on the test results, provide recommendations to improve CARB's EMFAC model (if needed), identify technology issues and how to mitigate them, prioritize SCAQMD and CEC staff and financial resources to support advanced engine and aftertreatment technology research and demonstration programs, and match vehicle technologies to vocations to maximize technology benefits.

The proposed project is anticipated to be completed in 18 months. The proposal should address concisely the information requested in the following Tasks and Sub-Tasks in the format specified in Section VII - Proposal Submittal Requirements. Information provided should be specific enough for evaluation and scoring purposes and for inclusion into a binding contract. Successful bidders are expected to provide complete details of work proposed for this project.

### **Task 1 – Test Vehicle Selection and Regulatory Permits**

The objective of this task is for the Contractor Team to develop a test vehicle recruitment protocol and recruit test vehicles. The test vehicles will involve up to 200 on-road heavy-duty vehicles with GVWR greater than 14,000 lb. and used in transit, school bus, refuse, delivery and goods movement applications. The test vehicles are limited to those powered by engines fueled with alternative fuels, conventional and alternative diesel fuels, and dual fuels. Contractor shall:

- 1.1. Develop a Test Vehicle Recruitment Protocol to up to 200 test vehicles that is representative of vehicles with GVWR greater than 14,000 lb. and used in transit, school bus, refuse, delivery and goods movement applications. The test vehicles are limited to those powered by engines fueled with alternative fuels, conventional and alternative diesel fuels, and dual fuels. The engines are categorized into six groups including:
  - MY 2010 – 2015 natural gas engines certified at or below 0.20 g/bhp-hr NO<sub>x</sub>;
  - Natural gas engines certified to CARB optional standard at or below 0.02 g/bhp-hr NO<sub>x</sub>;
  - MY 2010 - 2015 diesel engines certified at or below 0.20 g/bhp-hr NO<sub>x</sub>;
  - Diesel engines with no SCR system;
  - Dual fuel engines; and
  - Alternative fuel engines (hybrid and fully electric technology).

The protocol shall include, at a minimum, specific approach for:

- 1.1.1. Drawing a representative sample of up to 200 test vehicles from the population of vehicles (GVWR greater than 14,000 lb.) used in transit, school bus, refuse, delivery and goods movement applications and operated in South Coast Air Basin (Basin). To minimize natural skewness of vehicle emissions, this approach shall address:
  - 1.1.1.i. Vehicles powered only by engines in the six categories listed above;
  - 1.1.1.ii. The number of vehicles in each category based on, at a minimum, the engine age, technology and make and model, vehicle's mileage (at least 5,000 miles), and the representativeness of the vehicles to the

- heavy-duty vehicle (GVWR greater than 14,000 lb.) population in the Basin; and
    - 1.1.1.iii. Steps for inviting potential fleets to participate in the in-use emissions study; and
  - 1.1.2. Ensuring that the test vehicles are drivable and safe. This approach must include, at a minimum, procedures for;
    - 1.1.2.i. Performing vehicle safety and drivability tests;
    - 1.1.2.ii. Collecting and assessing vehicle maintenance and usage history;
    - 1.1.2.iii. Reading and diagnosis active and inactive fault codes;
    - 1.1.2.iv. Screening the engine Electronic Control Unit (ECU) and On-Board Diagnostic (OBD) system, if available, to identify engine sensors malfunction or failure;
    - 1.1.2.v. Screening the OBD system (if available) to identify aftertreatment device malfunction or failure; and
    - 1.1.2.vi. Inviting engine and vehicle manufacturers to participate in the screening of engine and aftertreatment device faulty codes, failure and malfunction;
- 1.2. Submit the protocol developed in Task 1.1 to the SCAQMD Project Manager for approval;
- 1.3. Work with the Technical Review Committee to identify up to 200 test vehicles based on the approved protocol in Task 1.2;
- 1.4. Work with fleet participants, engine and vehicle manufacturers, and CARB staff to secure the number of test vehicles in each engine technology category and vocation recommended by the Technical Review Committee and assigned to Contractor by the SCAQMD Project Manager;
- 1.5. Prepare a Test Vehicle Matrix, including at a minimum, the following information:
  - 1.5.1. Test vehicle
    - 1.5.1.i. Ownership,
    - 1.5.1.ii. Condition and maintenance history,
    - 1.5.1.iii. Vocation,
    - 1.5.1.iv. Model year,
    - 1.5.1.v. Gross vehicle weight rating (GVWR), and
    - 1.5.1.vi. Odometer reading.
  - 1.5.2. Engine
    - 1.5.2.i. Technology,
    - 1.5.2.ii. Make, family, model year, serial number, displacement, maximum rated power, and
    - 1.5.2.iii. Certification level.
  - 1.5.3. Aftertreatment Device
    - 1.5.3.i. Technology and
    - 1.5.3.ii. Condition.

1.5.4. Fuel type.

1.6. Submit the Test Vehicle Matrix in Task 1.5 to the SCAQMD Project Manager for approval.

1.7. Itemize all activities, if any, that may require regulatory permits.

## **Task 2 – Test Vehicle Activity Protocol**

The objective of this task is for the Contractor Team to develop a Test Vehicle Activity Protocol to establish procedures for collecting, storing and analyzing second-by-second vehicle operating information, in-use emissions and location, as well as procedures to develop new or improve existing drive cycles for heavy-duty vehicles used in transit, school bus, refuse, delivery and goods movement applications. Contractor shall:

2.1. Develop a Test Vehicle Activity Protocol for: gathering, storing and analyzing vehicle driving data, emissions and location; determining whether to develop new or improved or retain existing vocation-specific drive cycles; and, if needed, developing or improving the existing drive cycles. The protocol shall include a detailed description of the tools (PEMS and PAMS) and procedures for:

2.1.1. Gathering and storing second-by-second operating information, in-use emissions, loaded weight, axle group weight and location of test vehicles. The procedures shall include detailed description of the:

2.1.1.i. Continuous measurement systems with all necessary hardware and software equipment interface components and how the systems will be fitted with the test vehicles;

2.1.1.ii. Guidelines and performance specifications of the measurement systems. The systems shall, at a minimum:

- a) Include an integrated Global Positioning System (GPS) and other tools capable of measuring second-by-second road grade, vehicle's location (latitude and longitude), speed, acceleration, power, revolution per minute, mass air flow, time and other operational data necessary for interpreting test vehicle driving histories as well as for developing or improving heavy-duty vehicle drive cycles;
- b) Include an on-board weight system capable of periodically measuring vehicle's loaded weight and axle group weight;
- c) Communicate with the engine's ECU and OBD (if available) through industry standard communication protocols and record data into memory without adversely affecting the ECU or OBD or any sensors;
- d) Start automatically when a test vehicle is started and stop automatically when the test vehicle is stopped;
- e) Be configurable in a "plug-and-play manner" with an Ethernet or USB connector and/or wireless signal;
- f) Allow data to be uploaded to a server at predefined rates;
- g) Interface with a server that provides a centralized repository of data and events if a remote feature of the system is selected.

The server shall provide a secure gateway for end users to view and/or download data for analysis;

- h) Allow exportation of data to CSV or other industry standard file type to facilitate analysis using common data analysis tools or allow data to be housed in a relational database;
- i) Have ability to download data using mobile broadband or other cellular/mobile based communication devices;
- j) Be flexible and capable of incorporating multiple transmission protocols;
- k) Have adequate data storage capacity;
- l) Monitor and record multiple engine parameters from the engine's ECU;
- m) Monitor and record all selected parameters on a "per second" basis (1 HZ) or at any configurable frequency, continuously for a minimum period of one week;
- n) Measure and record temperature and pressure at engine-out, tailpipe, and pre and post of aftertreatment devices; and
- o) Measure test vehicle's exhaust carbon monoxide (CO), carbon dioxide (CO<sub>2</sub>), total hydrocarbon (THC), and total NO<sub>x</sub> emissions.

2.1.2. Interpreting and analyzing (QA/QC) driving data gathered in Task 2.1.1. This procedure shall, at a minimum, provides strategies for discovering and resolving issues with:

- 2.1.2.i. Equipment (PAMS, PEMS, GPS, etc.) failure or malfunction;
- 2.1.2.ii. Signal noise in equipment; and
- 2.1.2.iii. Dataset.

2.1.3. Segregating driving data into micro-trip bins;

2.1.4. Selecting micro-trip bins that are representative of the entire pool of micro-trips for each vocation;

2.1.5. Processing the selected micro-trips in preparation of developing new or improving existing vocation-based drive cycles; and

2.1.6. Developing conditioning drive cycles, cold start and hot start frequencies, as well as, frequency of temperature and low load operations for vehicles equipped with aftertreatment devices;

2.2. Submit the protocol developed in Task 2.1 to the SCAQMD Project Manager for approval;

2.3. Implement the approved Test Vehicle Activity Protocol(s) in Task 2.2 and gather test vehicle activity data;

2.4. Develop a representative route for each vocation based on the test vehicle activity data in Task 2.3 for the purpose of Real-World In-Use Emission tests in Task 4;

- 2.5. Assess the effectiveness of existing vocation-based heavy-duty drive cycles based on the test vehicle activity data in Task 2.3 and recommend whether to develop new or improved or retain existing vocation-based heavy-duty drive cycles for transit bus, school bus, refuse, delivery and goods movement vehicles;
- 2.6. Submit a report of the assessment in Task 2.5 to the SCAQMD Project Manager for review. The SCAQMD Project Manager will present the report to the Technical Review committee to discuss the Contractor's recommendation regarding whether the existing drive cycle should be replaced or retained.
- 2.7. Develop or improve existing vocation-based heavy-duty drive cycles if so recommended by the Technical Review Committee; and
- 2.8. Submit the newly developed or improved vocation-based heavy-duty drive cycles to the SCAQMD Project Manager for approval.

### **Task 3 – In-Use Chassis Dynamometer Emissions Test**

The objective of this task is for the Contractor Team to develop an In-Use Chassis Emission Test Plan and conduct chassis dynamometer tests per newly developed or improved or existing vocation-based heavy-duty drive cycles to establish THC, methane, nonmethane hydrocarbon, nitrogen dioxide (NO<sub>2</sub>), nitrogen monoxide (NO), nitrous oxides (N<sub>2</sub>O), NO<sub>x</sub>, CO, particulate matter (PM), ultrafine (**aerodynamic diameter less than 0.1 micrometer**), ammonia (NH<sub>3</sub>), CO<sub>2</sub>, and toxic air contaminant emissions from up to 60 test vehicles selected from the Vehicle Test Matrix. Contractor shall:

- 3.1. Develop an In-Use Chassis Emission Test Plan for conducting a chassis dynamometer tests of up to 60 test vehicles selected from the approved Vehicle Test Matrix in Task 1.6. The plan shall include detailed description of the:
  - 3.1.1. Steps that will be taken to ensure that the test vehicles are drivable and safe. These steps shall be consistent with the approved Test Vehicle Recruitment Protocol in Task 1;
  - 3.1.2. Type and purpose of each sensor or equipment with all necessary hardware and software equipment interface components to be instrumented on test vehicles;
  - 3.1.3. Chassis dynamometer test procedures including vehicle setup, conditioning, coast-down, and cold-start and triplicate hot-start test procedures;
  - 3.1.4. Approach to validate or evaluate the newly developed or improved vocation-based heavy-duty drive cycles approved by SCAQMD Project Manager in Task 2.8;
  - 3.1.5. Following vocation-based heavy-duty drive cycles should the Technical Review Committee recommend that the existing drive cycles be used:
    - 3.1.5.i. Central Business District (CBD) driving schedule;
    - 3.1.5.ii. Urban Dynamometer Driving Schedule (UDDS);
    - 3.1.5.iii. Orange County Transit Authority (OCTA) driving schedule;
    - 3.1.5.iv. Port Drayage drive cycle;



- 3.1.5.v. SCAQMD refuse truck cycle; and
  - 3.1.5.vi. CARB Heavy Heavy-Duty Diesel Truck (HHDDT) drive cycle.
- 3.1.6. Procedures for collecting, measuring and recording all data necessary to determine:
- 3.1.6.i. Vehicle distance specific fuel consumption;
  - 3.1.6.ii. NOx emissions during extended idle period
  - 3.1.6.iii. THC, methane, and nonmethane hydrocarbon emissions at engine-out, tailpipe, and pre and post aftertreatment devices;
  - 3.1.6.iv. NO, N2O, NO2, CO, CO2, NH3, PM, and ultrafine emissions at engine-out, tailpipe, and pre and post aftertreatment devices;
  - 3.1.6.v. Benzene, toluene, ethylbenzene, xylene, formaldehyde, acetaldehyde, and carbonyl emissions;
  - 3.1.6.vi. Gaseous and PM emissions in the Not-to-Exceed zone (NTE);
  - 3.1.6.vii. Gravimetric analysis of PM10, PM2.5, PM1 and total PM;
  - 3.1.6.viii. PM concentration and size distribution;
  - 3.1.6.ix. Chemical characterization of PM – elemental carbon (including metal) and organic carbon analyses; and
  - 3.1.6.x. Engine aftertreatment technology performance.
- 3.2. Submit the In-Use Chassis Emission Test Plan in Task 3.1 to the SCAQMD Project Manager for approval;
- 3.3. Conduct chassis dynamometer in-use emissions tests (one cold start and triplicate hot-start per drive cycle) of up to 60 test vehicles selected from the approved Vehicle Test Matrix in Task 1.6 based on the emission test plan approved in Task 3.2; and
- 3.4. Submit an In-Use Chassis Emission Test Report to SCAQMD Project Manager. The report shall include, but not limited to the following:
- 3.4.1. Vehicle distance specific fuel consumption;
  - 3.4.2. NOx emissions during extended idle period
  - 3.4.3. THC, methane, and nonmethane hydrocarbon emissions at engine-out, tailpipe, and pre and post aftertreatment devices;
  - 3.4.4. NO, N2O, NO2, CO, CO2, NH3, PM and ultrafine emissions at engine-out, tailpipe, and pre and post aftertreatment devices;
  - 3.4.5. Benzene, toluene, ethylbenzene, xylene, formaldehyde, acetaldehyde, and carbonyl emissions;
  - 3.4.6. Gaseous and PM, emissions in the NTE zone;
  - 3.4.7. Gravimetric analysis of PM10, PM2.5, PM1 and total PM;
  - 3.4.8. PM concentration and size distribution;
  - 3.4.9. Chemical characterization of PM – elemental carbon (including metal) and organic carbon analyses; and
  - 3.4.10. Engine aftertreatment technology performance.

#### **Task 4 – Real-World In-Use Emission Tests**

The objective of this task is for the Contractor Team to develop a Real-World In-Use Emission Test Plan and conduct emissions test of up to 10 test vehicles used in delivery and goods movement applications to assess real-world in-use emissions, fuel usage profile, and engine

aftertreatment technology performance as the vehicles are driven over typical vocation routes. Contractor shall:

- 4.1. Develop a Real-World In-Use Emission Test Plan to conduct in-use emission tests of up to 10 test vehicles used in delivery and goods movement applications as the vehicles are driven over typical vocation routes and loaded up to 70,000 pounds gross vehicle weight rating. The delivery and goods movement test vehicles shall be selected from the approved Vehicle Test Matrix in Task 1.6. The plan shall include detailed description of the:
  - 4.1.1. Test routes representative of delivery and goods movement vehicles' operations in the Basin and consistent with the routes identified in the Test Vehicle Recruitment Protocol in Task 1;
  - 4.1.2. Transportable 40 CFR 1065 compliant CVS emissions measurement systems and how the systems are prepared or conditioned in preparation for testing vehicles;
  - 4.1.3. Location, type and purpose of each sensor or equipment with all necessary hardware and software equipment interface components to be instrumented on the test vehicles;
  - 4.1.4. Real-world test procedures, including methods and tools to:
    - 4.1.4.i. Prepare and condition test vehicles for testing;
    - 4.1.4.ii. Measure or determine the topology, road grade and ambient conditions along the routes; and
    - 4.1.4.iii. Continuously monitor, collect and record parameters necessary to determine the efficiency of each aftertreatment technology installed on the engine exhaust.
  - 4.1.5. Procedures for collecting, measuring and recording all data necessary to determine:
    - 4.1.5.i. Vehicle distance specific fuel consumption;
    - 4.1.5.ii. THC, methane, and nonmethane hydrocarbon at engine-out, tailpipe, and pre and post aftertreatment devices emissions;
    - 4.1.5.iii. NO, N<sub>2</sub>O, NO<sub>2</sub>, CO, CO<sub>2</sub>, NH<sub>3</sub>, PM and ultrafine emissions at engine-out, tailpipe, and pre and post aftertreatment devices;
    - 4.1.5.iv. Gaseous and PM emissions in the NTE zone;
    - 4.1.5.v. Benzene, toluene, ethylbenzene, xylene, formaldehyde, acetaldehyde, and carbonyl emissions;
    - 4.1.5.vi. Gravimetric analysis of PM<sub>10</sub>, PM<sub>2.5</sub>, PM<sub>1</sub> and total PM;
    - 4.1.5.vii. PM concentration and size distribution; and
    - 4.1.5.viii. Chemical characterization of PM – elemental carbon (including metal) and organic carbon analyses.
- 4.2. Submit the Real-World In-Use Emission Test Plan in Task 4.1 to the SCAQMD Project Manager for approval;

- 4.3. Conduct emissions tests of up to 10 test vehicles used in delivery and goods movement applications and selected from the approved Vehicle Test Matrix in Task 1.6 based on the Real-World Emission Test Plan approved in Task 4.2; and
- 4.4. Submit a Real-World Emission Test Report to SCAQMD Project Manager. The report shall include, but not limited to, the following:
  - 4.4.1. Route, topology, grade and ambient conditions;
  - 4.4.2. Vehicle distance specific fuel consumption;
  - 4.4.3. THC, methane, and nonmethane hydrocarbon emissions at engine-out, tailpipe, and pre and post aftertreatment devices;
  - 4.4.4. NO, N<sub>2</sub>O, NO<sub>2</sub>, CO, CO<sub>2</sub>, NH<sub>3</sub>, PM and ultrafine emissions at engine-out, tailpipe, and pre and post aftertreatment devices;
  - 4.4.5. Benzene, toluene, ethylbenzene, xylene, formaldehyde, acetaldehyde, and carbonyl emissions;
  - 4.4.6. Gaseous and PM emissions in the NTE zone;
  - 4.4.7. Gravimetric analysis of PM<sub>10</sub>, PM<sub>2.5</sub>, PM<sub>1</sub> and total PM;
  - 4.4.8. PM concentration and size distribution;
  - 4.4.9. Chemical characterization of PM – elemental carbon (including metal) and organic carbon analyses; and
  - 4.4.10. Engine aftertreatment technology performance.

#### **Task 5 – Engine and Aftertreatment Technology Deterioration Factors**

The objective of this task is for the Contractor Team to develop a detailed Deterioration Factor Test Plan to determine the degradation rate of engine aftertreatment technology on up to 8 test vehicles selected from the approved Vehicle Test Matrix in Task 1.5. The Contractor shall:

- 5.1. Develop a Deterioration Factor Test Plan to determine the degradation rate of engine aftertreatment technology on up to 8 test vehicles selected from the approved Vehicle Test Matrix in Task 1.6. The plan shall include detailed description of the procedures or methods that will be used to:
  - 5.1.1. Determine the minimum number of test vehicles needed for this task;
  - 5.1.2. Establish the number of emission tests and the test vehicle in-service accumulation schedule within the period of each emission test;
  - 5.1.3. Collect emission-related and non-emission-related scheduled and non-scheduled maintenance history within the in-service accumulation period; and
  - 5.1.4. Conduct emission tests, data analyses and data evaluation. The emission test procedures shall be consistent with the approved Emission Test Plan in Task 3.2.
- 5.2. Submit the Deterioration Factor Test Plan in Task 5.1 to the SCAQMD Project Manager for approval;
- 5.3. Implement the approved Deterioration Factor Test Plan in Task 5.1;
- 5.4. Submit the Deterioration Factor Test Report to the SCAQMD Project Manager. The report shall include, but not limited to the following:
  - 5.4.1. A Deterioration Test Vehicle Matrix consisting of selected vehicles and consistent with the approved Test Vehicle Matrix in Task 1.6;

- 5.4.2. Emission test results including:
  - 5.4.2.i. Vehicle distance specific fuel consumption;
  - 5.4.2.ii. THC, methane, and nonmethane hydrocarbon emissions;
  - 5.4.2.iii. NO, N<sub>2</sub>O, NO<sub>2</sub>, CO, CO<sub>2</sub>, NH<sub>3</sub>, PM and ultrafine emissions;
  - 5.4.2.iv. Benzene, toluene, ethylbenzene, xylene, formaldehyde, acetaldehyde, and carbonyl emissions;
  - 5.4.2.v. Gaseous and PM emissions in the NTE zone;
  - 5.4.2.vi. Gravimetric analysis of PM<sub>10</sub>, PM<sub>2.5</sub>, PM<sub>1</sub> and total PM;
  - 5.4.2.vii. PM concentration and size distribution; and
  - 5.4.2.viii. Chemical characterization of PM – elemental carbon (including metal) and organic carbon analyses; and
- 5.4.3. Degradation rate of engine aftertreatment technology on the selected vehicles for gaseous and PM emissions.

### **Task 6 –Technology Impact, Issues, Improvement and Benefits**

The objective of this task is for the Contractor Team to prepare a Technology Assessment Plan to: 1) identify the impact of current and near-future technology on engine performance, emissions and fuel usage; 2) establish engine aftertreatment issues and how to mitigate them; and 3) match vehicle technologies to vocations for which technology benefits can be maximized. The Contractor shall:

- 6.1. Prepare a Technology Assessment Plan to identify the impact of current and near-future technology on engine performance, emissions and fuel usage; 2) establish engine aftertreatment issues and how to mitigate them; and 3) match vehicle technologies to vocations for which technology benefits can be maximized. The plan shall be consistent with the Vehicle Test Protocol in Task 2, In-Use Chassis Emission Test Plan in Task 3, and the Real-World In-Use Emission Plan in Task 4;
- 6.2. Submit the Technology Assessment Plan to the SCAQMD Project Manager for review;
- 6.3. Implement the approved Technology Assessment Plan in Task 6.2; and
- 6.4. Submit a Technology Assessment Report to SCAQMD Project Manager. The report shall include, but not limited to the following:
  - 6.4.1. Engine and aftertreatment technologies;
  - 6.4.2. Impact of current and near term engine and aftertreatment technologies on engine performance, emissions, and fuel usage;
  - 6.4.3. Engine and aftertreatment technologies' issues and how to mitigate them; and
  - 6.4.4. A list of matched vehicle technologies to vocations for which technology benefits can be maximized.

### **Task 7 –Comparison of In-Use Emissions and EMFAC Emissions**

The objective of this task is for the Contractor Team to develop an In-Use Emission and EMFAC Assessment Protocol to compare emissions data obtained from the Test Vehicle Activity data in Task 2, In-Use Chassis Dynamometer Emission Test in Task 3, and Real-World In-Use Emission Tests in Task 4 to emissions outputs from CARB EMFAC model for vehicles in the same category as the test vehicles. The Contractor shall:

- 7.1. Develop an In-Use Emission and EMFAC Assessment Protocol to compare emissions data from chassis-dynamometer in-use emissions test, PEMS in-use emissions test,

and real-world-based in-use emissions test to emissions outputs from CARB EMFAC model from a number of vehicles selected from the approved Vehicle Test Matrix in Task 1.5;

- 7.2. Submit the In-Use Emission and EMFAC Assessment Protocol to the SCAQMD Project Manager for review. The SCAQMD Project Manager will present the report to the Technical Review Committee to discuss the effectiveness of the protocol to meet the objective of the in-use emissions study;
- 7.3. Work with CARB staff to implement the approved In-Use Emission and EMFAC Assessment Protocol in Task 7.2;
- 7.4. Submit an In-Use Emission and EMFAC Assessment Report to SCAQMD Project Manager. The report shall include, but not limited to the following:
  - 7.4.1. Current CARB emissions inventory data for vehicles in the same category as the test vehicles;
  - 7.4.2. Assessment of the in-use emissions measurements obtained from chassis dynamometer, PEMS and the transportable emission measurement system;
  - 7.4.3. Assessment of the capability of PEMS, chassis dynamometer and transportable emissions measurement system to measure near-zero emissions; and
  - 7.4.4. Results from comparing chassis-dynamometer-based in-use emissions, PEMS-based in-use emissions, and real-world-based in-use emissions to EMFAC emissions from the vehicles selected from the approved Vehicle Test Matrix in Task 1.5.

## **B. Schedule of Deliverables**

Contractor shall supply the following reports to the SCAQMD under the contract agreements. Each submitted report shall be stapled, not bound, printed in black ink, double-sided type, on an 8-1/2 by 11 inch page, and shall include camera-ready originals.

1. Formal updates of program progress to the SCAQMD's Program Manager once every month throughout the testing phases of the proposed project. If there is any engine problem or failure of retrofit technology, proponents shall schedule an immediate meeting with SCAQMD's Project Manager.
2. Two stapled copies of each quarterly progress report due by the 10th day of each month following the reporting period. Contractor shall submit one copy of each progress report to SCAQMD's Project Manager and one copy to SCAQMD's Technology Advancement Staff Specialist assigned to contracts, in conjunction with the invoice for the same period. Each progress report shall include, but not be limited to:
  - a. Reference to SCAQMD contract number and title of project;
  - b. Reporting time period (months, year);

- c. Description of work completed during the reporting period, including a discussion of problems encountered and how those problems were resolved; and other relevant activities;
  - d. Summary of data and test results for each task;
  - e. Discussion of work planned for the next reporting period;
  - f. Discussion of project status with respect to time schedule and steps being taken to resolve any delays; and
  - g. Discussion of cost status with respect to budget status and work completed to date, cost to date, explanation of any overruns, and steps being taken to bring costs back into line.
3. Two bound copies of the draft Final Report for review, comment and approval shall be submitted not later than two months after the completion of the proposed project. Contractor shall submit one copy of the draft final report to SCAQMD's Project Manager and one copy to SCAQMD's Technology Advancement-Contracts Administrator assigned to contracts. This document shall be considered in the public domain, in conformance with the California Public Records Act (Government Code Section 6250 et seq.). SCAQMD shall complete their review of the draft final report within four weeks of its receipt from proponent. The draft final report shall include, but not be limited to, the following:
  - a. Reference to SCAQMD contract number and title of project;
  - b. Project background and objectives;
  - c. An executive summary up to three pages in length, including a short, definitive statement of the project; objective of the project, including emission reduction objectives or potential, and reference to SCAQMD Rules if applicable; subject of the project including technology demonstration site, participants, dates, etc.; conclusions; and recommendations. The recommendations shall include, but not limited to air quality benefits, near-term emission reduction, cost, and technology limitations;
  - d. A detailed description of the scope of work;
  - e. Findings or results of each task;
  - f. Summary of all testing and analysis, and emissions and operational data, including, but not limited to, temperature profiles, emissions, fuel and oil consumption, maintenance, reliability, operating cost, thermal efficiency, control efficiency, and engine performance;
  - g. Results - a discussion of the expected project results versus what was actually achieved; and
  - h. Problems - a discussion of any significant problems encountered during the contract and how they were resolved.
4. Contractor shall submit three stapled originals of the final report to the SCAQMD's Technology Advancement-Contracts Administrator assigned to contracts incorporating the comments, no later than three months after the completion of the proposed project. The final report shall also include acknowledgement of all sponsors and participants in the project. This document shall be considered in the public domain, in conformance with the California Public Records Act (Government Code Section 6250 et seq.).

5. Contractor shall submit a two-page project synopsis, along with the final report. In addition to a hard copy of this synopsis, Contractor shall provide the synopsis in an electronic version, using Microsoft WORD 97 or compatible version.

## **SECTION VI: REQUIRED QUALIFICATIONS**

- A. Individual consultants, consulting firms, heavy-duty vehicle emission testing laboratories, and universities proposing to bid on this proposal must have many years of experience and knowledge in developing vocation-based heavy-duty drive cycles and evaluating wide range of engine, aftertreatment, diesel fuel, alternative fuel and energy technologies for heavy-duty vehicles.
- B. Proposer must submit the following:
1. Resumes or similar statement of qualifications of the lead person and key persons assigned to the project. Substitution of project manager or lead person will not be permitted without prior written approval by SCAQMD.
  2. List all key personnel assigned to the project by level, and name, and include resumes. Specify the estimated time to be spent by the lead person and key persons assigned to the project.
  3. List specific portion of the project to be subcontracted. Include all subcontractors and their resumes or similar statement of qualification.
  4. Summary of major similar projects handled during the last five years demonstrating experience in AQMD, federal, and state air quality regulations, alternative fuel technologies, and diesel-fueled heavy-duty engines.

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

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

Each proposal must be submitted in three separate volumes:

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

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

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

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

## **VOLUME I - TECHNICAL PROPOSAL**

### **DO NOT INCLUDE ANY COST INFORMATION IN THE TECHNICAL VOLUME**

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

#### **A Team Selection**

- A.1. Proponent must identify each member of the project team in accordance with Section VI(B) of this RFP.
- A.2. Proponent must provide adequate information about each team member such that the evaluation panel can assess each member's contributions, commitments, and experience in heavy-duty engines and vehicles, engine industry, and alternative fuel technologies. A letter from a retrofit technology manufacturer that they are part of the team, and defining their contribution to the proposed project must be provided.

#### **B Specific Information for Statement of Work Task**

##### **Task 1 – Test Vehicle Selection and Regulatory Permits**

- B.1.1. Proponents must present a Test Vehicle Recruitment Protocol to select up to 200 test vehicles that is representative of on-road heavy-duty vehicles with GVWR greater than 14,000 lb. and used in transit, school bus, refuse, delivery, and goods movement applications. The test vehicles is limited to those powered by engines fueled with alternative fuels, conventional and alternative diesel fuels, and dual fuels. The engines are categorized into six groups including:
  - MY 2010 – 2015 natural gas engines certified at or below 0.20 g/bhp-hr NOx;
  - Natural gas engines certified to CARB optional standard at or below 0.02 g/bhp-hr NOx;
  - MY 2010 - 2015 diesel engines certified at or below 0.20 g/bhp-hr NOx;
  - Diesel engines with no SCR system;
  - Dual fuel engines; and
  - Alternative fuel engines (hybrid and fully electric technology)
- B.1.2. Proponents must present techniques for drawing a representative sample of up to 200 test vehicles from population of vehicles (GVWR greater than 14,000 lb.) used in transit, school bus, refuse, delivery, and goods movement applications and operated in the Basin. This technique must address:
  - B.1.2.1. Vehicles powered only by engines in the six categories listed above;
  - B.1.2.2. The number of vehicles in each category based on, at a minimum, the engine age, technology and make and model, vehicle's mileage (at least



5,000 miles), and the representativeness of the vehicles to heavy-duty vehicle (GVWR greater than 14,000 lb.) population in the Basin; and

B.1.2.3. Steps for inviting potential fleets to participate in the in-use emissions study.

B.1.3. Proponents must present techniques for ensuring that the test vehicles are drivable and safe. This technique must include, at a minimum, procedures for:

- B.1.3.1. Performing vehicle safety and drivability tests;
- B.1.3.2. Collecting and assessing vehicle's maintenance and usage history;
- B.1.3.3. Reading and diagnosis active and inactive fault codes;
- B.1.3.4. Screening engine ECU and OBD system (if available) to identify engine sensors malfunction or failure;
- B.1.3.5. Screening OBD system (if available) to identify aftertreatment device malfunction or failure; and
- B.1.3.5. Inviting engine and aftertreatment device faulty codes, failure, and malfunction.

## **Task 2 – Test Vehicle Activity Protocol**

B.2.1. Proponents must present a Test Vehicle Activity Protocol for: 1) gathering, storing, and analyzing vehicle driving data, emissions and location; 2) determining whether to develop new or improved or retain existing vocation-specific drive cycles; and, 5) if needed, developing or improving the existing drive cycles.

B.2.2. Proponents must provide a detailed description of the tools (PEMS and PAMS) and procedures for gathering and storing second-by-second operating information, in-use emissions, loaded weight, axle group weight and location of test vehicles. The procedures must include detailed description of the:

- B.2.2.1. Continuous measurement systems with all necessary hardware and software equipment interface components and how the systems will be fitted with the test vehicles;
- B.2.2.2. Guidelines and performance specifications of the measurement systems. The systems shall, at a minimum,
  - B.2.2.2.i. Include an integrated Global Positioning System (GPS) and other tools capable of measuring second-by-second road grade, vehicle's location (latitude and longitude), speed, acceleration, power and revolution per minute, mass air flow, time, and other operational data necessary in interpreting test vehicles' driving history as well as for developing or improving heavy-duty vehicle drive cycles;
  - B.2.2.2.ii. Include an on-board weight system capable of periodically measuring vehicle's loaded weight and axle group weight;
  - B.2.2.2.iii. Communicate with engine's ECU and OBD system (if available) through industry standard communication protocols and record data into its memory without adversely affecting the ECU or any sensors;
  - B.2.2.2.iv. Start automatically when a test vehicle is started and stop automatically when the test vehicle is stopped;
  - B.2.2.2.v. Be configurable in a "plug-and-play manner" with an Ethernet or USB connector and/or wireless signal;

- B.2.2.2.vi. Allow data to be uploaded to a server at predefined rates;
- B.2.2.2.vii. Interface with a server that provides a centralized repository of data and events if a remote feature of the system is selected. The server shall provide a secure gateway for end users to view and/or download data for analysis;
- B.2.2.2.viii. Allow exportation of data to CSV or other industry standard file type to facilitate analysis using common data analysis tools; or allow data to be housed in a relational database;
- B.2.2.2.ix. Have ability to download data using mobile broadband or other cellular/mobile based communication devices;
- B.2.2.2.x. Be flexible and capable of incorporating multiple transmission protocols;
- B.2.2.2.xi. Have adequate data storage capacity;
- B.2.2.2.xii. Monitor and record multiple engine parameters from the engine's ECU;
- B.2.2.2.xiii. Monitor and record all selected parameters on a "per second" basis (1 HZ) or at any configurable frequency, continuously for a minimum period of one week;
- B.2.2.2.xiv. Measure and record temperature and pressure at engine-out, tailpipe, and pre and post of aftertreatment devices; and
- B.2.2.2.xv. Measure test vehicle's exhaust carbon monoxide (CO), carbon dioxide (CO<sub>2</sub>), total hydrocarbon (THC), and total NO<sub>x</sub> emissions.

B.2.3. Proponents must provide a detailed description of the procedures for interpreting and analyzing (QA/QC) driving data presented in Task B.2.2. This procedure must, at a minimum, include strategies for discovering and resolving issues with:

- B.2.3.1. Equipment (PAMS, PEMS, GPS, etc.) failure or malfunction;
- B.2.3.2. Signal noise in equipment; and
- B.2.3.3. Dataset.

B.2.4. Proponents must provide a detailed description of the techniques for:

- B.2.4.1. Segregating driving data into micro-trip bins;
- B.2.4.2. selecting micro-trip bins that are representative of the entire pool of micro-trips for each vocation;
- B.2.4.3. Processing the selected micro-trips in preparation of developing new or improving existing vocation-based drive cycles; and
- B.2.4.4. Developing conditioning drive cycles, cold start and hot start frequencies, as well as, frequency of temperature and low load operations for vehicles equipped with aftertreatment devices.

### **Task 3 – In-Use Chassis Dynamometer Emissions Test**

B.3.1. Proponents must present an In-Use Chassis Emission Test Plan for conducting a chassis dynamometer tests of up to 60 heavy-duty vehicles presented in Task B.1.

B.3.2. Proponents must present detailed description of steps that will be taken to ensure that the test vehicles are drivable and safe. These steps shall be consistent with the Test Vehicle Recruitment Protocol in Task B.1.

- B.3.3. Proponents must present the type and purpose of each sensor or equipment with all necessary hardware and software equipment interface components to be instrumented on test vehicles.
- B.3.4. Proponents must present chassis dynamometer test procedures including vehicle setup, conditioning, coast-down, and cold-start and triplicate hot-start test procedures.
- B.3.5. Proponents must present procedures to validate or evaluate newly developed or improved vocation-based heavy-duty drive cycles.
- B.3.6. Proponents must present detailed description of the following vocation-based heavy-duty cycles:
- B.3.6.1. CBD driving schedule;
  - B.3.6.2. UDDS;
  - B.3.6.3. OCTA driving schedule;
  - B.3.6.4. Port Drayage drive cycle;
  - B.3.6.5. SCAQMD refuse truck cycle; and
  - B.3.6.6. CARB HHDDT drive cycle.
- B.3.7. Proponents must present procedures for collecting, measuring, and recording all data necessary to determine:
- B.3.7.1. Vehicle distance specific fuel consumption;
  - B.3.7.2. NO<sub>x</sub> emissions during extended idle period;
  - B.3.7.3. THC, methane and nonmethane hydrocarbon emissions at engine-out, tailpipe, and pre and post aftertreatment devices;
  - B.3.7.4. NO, N<sub>2</sub>O, NO<sub>2</sub>, CO, CO<sub>2</sub>, NH<sub>3</sub>, PM and ultrafine emissions at engine-out, tailpipe, and pre and post aftertreatment devices;
  - B.3.7.5. Benzene, toluene, ethylbenzene, xylene, formaldehyde, acetaldehyde, and carbonyls emissions;
  - B.3.7.6. Gaseous and PM emissions in the NTE zone;
  - B.3.7.7. Gravimetric analysis of PM<sub>10</sub>, PM<sub>2.5</sub>, PM<sub>1</sub> and total PM;
  - B.3.7.8. PM concentration and size distribution;
  - B.3.7.9. Chemical characterization of PM - elemental carbon (including metal) and organic carbon analyses; and
  - B.3.7.10. Engine aftertreatment technology performance.

#### **Task 4 – Real-World In-Use Emission Tests**

- B.4.1. Proponents must present a Real-World In-Use Emission Test Plan to conduct in-use emission tests of up to 10 test vehicles used in delivery and goods movement applications as the vehicles are driven over typical vocation routes and loaded up to 70,000 pounds. The delivery and goods movement test vehicles will be selected from test vehicles in Task B.1.
- B.4.2. Proponents must present detailed description of the transportable 40 CFR 1065 compliant CVS emissions measurement systems and how the systems are prepared or conditioned in preparation for testing vehicles.

- B.4.3. Proponents must provide the location, type and purpose of each sensor or equipment with all necessary hardware and software equipment interface components to be instrumented on the test vehicles.
- B.4.4. Proponents must present real-world test procedures, including methods and tools to:
- B.4.4.1. Prepare and condition test vehicles for testing;
  - B.4.4.2. Measure or determine the topology, road grade, and ambient conditions along the routes; and
  - B.4.4.3. Continuously monitor, collect and record parameters necessary to determine the efficiency of each aftertreatment technology installed on the engine exhaust.
- B.4.5. Proponents must present detailed description of the procedures for collecting, measuring, and recording all data necessary to determine:
- B.4.5.1. Vehicle distance specific fuel consumption;
  - B.4.5.2. NO<sub>x</sub> emissions during extended idle period;
  - B.4.5.3. THC, methane and nonmethane hydrocarbon emissions at engine-out, tailpipe, and pre and post aftertreatment devices ;
  - B.4.5.4. NO, N<sub>2</sub>O, NO<sub>2</sub>, CO, CO<sub>2</sub>, NH<sub>3</sub>, PM and ultrafine emissions at engine-out, tailpipe, and pre and post aftertreatment devices;
  - B.4.5.5. Gaseous and PM emissions in the NTE zone;
  - B.4.5.6. Benzene, toluene, ethylbenzene, xylene, formaldehyde, acetaldehyde, and carbonyls emissions;
  - B.4.5.7. Gravimetric analysis of PM<sub>10</sub>, PM<sub>2.5</sub>, PM<sub>1</sub> and total PM;
  - B.4.5.8. PM concentration and size distribution;
  - B.4.5.9. Chemical characterization of PM - elemental carbon (including metal) and organic carbon analyses; and
  - B.4.5.10. Engine aftertreatment technology performance.

#### **Task 5 – Engine and Aftertreatment Technology Deterioration Factors**

- B.5.1. Proponents must present a deterioration Factor Test Plan to determine the degradation rate of engine aftertreatment technology employed on up to 8 test vehicles presented in Task B.1.
- B.5.2. Proponents must determine the number of test vehicles needed to this task.
- B.5.3. Proponents must establish the number of emission tests and the test vehicles in-service accumulation schedule within the period of each emission test.
- B.5.4. Proponents must present procedures for collecting emission-related and non-emission-related scheduled and non-scheduled maintenance history within the in-service accumulation period.
- B.5.5. Proponents must present detailed description of the procedures or methods for conducting emission tests, data analyses, and data evaluation. The emission test procedures shall be consistent with the Emission Test Plan in Task B.3.

#### **Task 6 – Technology Impact, Shortfall, Improvement and Benefits**

Proponents must present a Technology Assessment Plan to identify the impact of current and near future technology on engine performance, emissions and fuel usage; 2) establish engine aftertreatment issues and how to mitigate the them; and 3) match vehicle technologies to vocations for which technology benefits can be maximized. The plan must be consistent with the Vehicle Test Protocol in Task 2, In-Use Chassis Emission Test Plan in Task 3, and the Real-World In-Use Emission Plan in Task 4.

### **Task 7 – Comparison of In-Use Emissions and CARB EMFAC Emissions**

Proponents must present an In-Use Emission and EMFAC Assessment Protocol to compare emissions data obtained from the Test Vehicle Activity data, In-Use Chassis Dynamometer Emission Test data, and Real World In-Use Emissions Test data to emissions outputs from EMFAC model from a number of vehicles presented in Task B.1.

Program Schedule (Section B) - This section shall identify anticipated dates of completion of all tasks and subtasks specified in the Statement of Work, including a list of milestones and deliverables. Specifically, this section should include:

1. An overall time schedule in Gantt chart form;
2. A list of significant milestones, project deliverables, and the projected calendar delivery dates of each. Milestones include project kickoff meetings, task start and completion dates, start and completion of testing, availability of test data, progress reports, interim reports, draft and final reports, and project review meetings

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

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

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

1. List all key personnel assigned to the project by level, name and location. Provide a resume or similar statement describing the background, qualifications and experience of the lead person and all persons assigned to the project. Substitution of project manager or lead personnel will not be permitted without prior written approval of SCAQMD.
2. Provide a spreadsheet of the labor hours proposed for each labor category at the task level.
3. Provide a statement indicating whether or not 90% of the work will be performed within the geographical boundaries of SCAQMD.
4. Provide a statement of education and training programs provided to, or required of, the staff identified for participation in the project, particularly with reference to management consulting, governmental practices and procedures, and technical matters.

5. Provide a summary of your Firm's general qualifications to meet required qualifications and fulfill statement of work, including additional Firm personnel and resources beyond those who may be assigned to the project.

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

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

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

## **VOLUME II - COST PROPOSAL**

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

Cost Proposal – SCAQMD anticipates awarding a fixed price contract. Cost information must be provided as listed below:

1. Detail must be provided by the following categories:
  - A. Labor – The Cost Proposal must list the fully-burdened hourly rates and the total number of hours estimated for each level of professional and administrative staff to be used to perform the tasks required by this RFP. Costs should be estimated for each of the components of the work plan.
  - B. Subcontractor Costs - List subcontractor costs and identify subcontractors by name. Itemize subcontractor charges per hour or per day.
  - C. Travel Costs - Indicate amount of travel cost and basis of estimate to include trip destination, purpose of trip, length of trip, airline fare or mileage expense, per diem costs, lodging and car rental.
  - D. Other Direct Costs -This category may include such items as postage and mailing expense, printing and reproduction costs, etc. Provide a basis of estimate for these costs.
  - E. Facilities & Administrative (F&A) Costs – The F&A costs must not exceed 10.6% of the total proposed project cost.
2. It is the policy of the SCAQMD to receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services. SCAQMD will give preference, where appropriate, to vendors who certify that they will provide “most favored customer” status to the SCAQMD. To receive preference points, Proposer shall certify that SCAQMD is receiving “most favored

customer” pricing in the Business Status Certifications page of Volume III, Attachment B – Certifications and Representations.

**VOLUME III - CERTIFICATIONS AND REPRESENTATIONS** (see Attachment B to this RFP)

(See Attachment B to this RFP)

**SECTION VIII: PROPOSAL SUBMISSION**

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

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

Due Date - **All proposals are due no later than 5:00 p.m., June 10, 2016, and should be directed to:**

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

Submittal - Submit eight (8) complete copies of the proposal in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the proposer and the words "RFP #P2016-19."

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

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

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

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

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

- A. A panel selected by the SCAQMD will evaluate all submitted proposals. This panel may include members outside the SCAQMD. The panel will make a recommendation to the Executive Officer and/or the Governing Board of the SCAQMD for final selection of a contractor and negotiation of a contract.
- B. Each member of the evaluation panel shall be accorded equal weight in his or her rating of proposals. The evaluation panel members shall evaluate the proposals according to the specified criteria and numerical weightings set forth below.

1. (a) <u>Proposal Evaluation Criteria</u>	Points
Understanding of Proposed In-Use Emission Study	20
Technical Approach	20
Technical Qualifications of Contracting Team	20
Previous Experience on Similar Projects	10
Cost	<u>30</u>
TOTAL:	100

1. (b) <u>Additional Points</u>	
Small Business or Small Business Joint Venture	10
DVBE or DVBE Joint Venture	10
Use of DVBE or Small Business Subcontractors	7
Low-Emission Vehicle Business	5
Local Business (Non-Federally Funded Projects Only)	5
Off-Peak Hours Delivery Business	2
Most Favored Customer	2

**The cumulative points awarded for small business, DVBE, use of small business or DVBE subcontractors, low-emission vehicle business, local business, and off-peak hours delivery business shall not exceed 15 points.**

**Self-Certification for Additional Points**

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

2. To receive additional points in the evaluation process for the categories of Small Business or Small Business Joint Venture, DVBE or DVBE Joint Venture or Local Business (for non-federally funded projects), the proposer must submit a self-certification or certification from the State of California Office of Small Business Certification and Resources at the time of proposal submission certifying that the proposer meets the requirements set forth in Section III. To receive points for the use of DVBE and/or Small Business subcontractors, at least 25 percent of the total contract value must be subcontracted to DVBEs and/or Small Businesses. To receive points as a Low-Emission Vehicle Business, the proposer must demonstrate to the Executive Officer, or designee, that supplies and materials delivered to SCAQMD are delivered in vehicles that operate on either clean-fuels or if powered by diesel fuel, that the vehicles have particulate traps installed. To receive points as an Off-Peak Hours Delivery Business, the proposer must submit, at proposal submission, certification of its commitment to delivering



supplies and materials to SCAQMD between the hours of 10:00 a.m. and 3:00 p.m. To receive points for Most Favored Customer status, the proposer must submit, at proposal submission, certification of its commitment to provide most favored customer status to the SCAQMD. The cumulative points awarded for small business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Low-Emission Vehicle Business and Off-Peak Hour Delivery Business shall not exceed 15 points.

The Procurement Section will be responsible for monitoring compliance of suppliers awarded purchase orders based upon use of low-emission vehicles or off-peak traffic hour delivery commitments through the use of vendor logs which will identify the contractor awarded the incentive. The purchase order shall incorporate terms which obligate the supplier to deliver materials in low-emission vehicles or deliver during off-peak traffic hours. The Receiving department will monitor those qualified supplier deliveries to ensure compliance to the purchase order requirements. Suppliers in non-compliance will be subject to a two percent of total purchase order value penalty. The Procurement Manager will adjudicate any disputes regarding either low-emission vehicle or off-peak hour deliveries.

3. For procurement of Research and Development (R & D) projects or projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, technical factors including past experience shall be weighted at 70 points and cost shall be weighted at 30 points. A proposal must receive at least 56 out of 70 points on R & D projects and projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, in order to be deemed qualified for award.
  4. The lowest cost proposal will be awarded the maximum cost points available and all other cost proposals will receive points on a prorated basis. For example if the lowest cost proposal is \$1,000 and the maximum points available are 30 points, this proposal would receive the full 30 points. If the next lowest cost proposal is \$1,100 it would receive 27 points reflecting the fact that it is 10% higher than the lowest cost (90% of 30 points = 27 points).
- C. During the selection process the evaluation panel may wish to interview some proposers for clarification purposes only. No new material will be permitted at this time. Additional information provided during the bid review process is limited to clarification by the Proposer of information presented in his/her proposal, upon request by SCAQMD.
- D. The Executive Officer or Governing Board may award the contract to a Proposer other than the Proposer receiving the highest rating in the event the Governing Board determines that another Proposer from among those technically qualified would provide the best value to SCAQMD considering cost and technical factors. The determination shall be based solely on the Evaluation Criteria contained in the RFP, on evidence provided in the proposal and on any other evidence provided during the bid review process.

- E. Selection will be made based on the above-described criteria and rating factors. The selection will be made by and is subject to Executive Officer or Governing Board approval. Proposers may be notified of the results by letter.
- F. The Governing Board has approved a Bid Protest Procedure which provides a process for a Bidder or prospective Bidder to submit a written protest to SCAQMD Procurement Manager in recognition of two types of protests: Protest Regarding Solicitation and Protest Regarding Award of a Contract. Copies of the Bid Protest Policy can be secured through a request to SCAQMD Procurement Department.
- G. The Executive Officer or Governing Board may award contracts to more than one proposer if in (his or their) sole judgment the purposes of the (contract or award) would best be served by selecting multiple proposers.
- H. If additional funds become available, the Executive Officer or Governing Board may increase the amount awarded. The Executive Officer or Governing Board may also select additional proposers for a grant or contract if additional funds become available.
- I. Disposition of Proposals – Pursuant to SCAQMD’s Procurement Policy and Procedure, SCAQMD reserves the right to reject any or all proposals. All proposals become the property of SCAQMD, and are subject to the California Public Records Act. One copy of the proposal shall be retained for SCAQMD files. Additional copies and materials will be returned only if requested and at the proposer's expense.
- J. **If proposal submittal is for a Public Works project as defined by State of California Labor Code Section 1720, Proposer is required to include Contractor Registration No. in Attachment B. Proposal submittal will be deemed as non-responsive and Bidder may be disqualified if Contractor Registration No. is not included in Attachment B. Proposer is alerted to changes to California Prevailing Wage compliance requirements as defined in Senate Bill 854 (Stat. 2014, Chapter 28), and California Labor Code Sections 1770, 1771 and 1725.**

#### **SECTION X: FUNDING**

Proponents will provide the total cost of proposed project. Funding is available from the Clean Fuels Fund, established as special revenue from the state-mandated Clean Fuels Program. The CEC and SoCalGas will provide additional funds, which will be included as part of the SCAQMD contract(s). SCAQMD anticipates awarding a total of approximately **one to three** contracts from this announcement based on availability of funds and the quality of proposals received. Contractors will be expected to enter into a “Fixed Price” contract with SCAQMD for specific tasks. Payments will be based upon task deliverables.

#### **SECTION XI: SAMPLE CONTRACT**

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

# ATTACHMENT A

## PARTICIPATION IN THE PROCUREMENT PROCESS

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

B. Definitions:

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

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

# ATTACHMENT A

## PARTICIPATION IN THE PROCUREMENT PROCESS

- c. is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.
4. "Local business" as used in this policy means a company that has an ongoing business within geographical boundaries of SCAQMD at the time of bid or proposal submittal and performs 90% of the work related to the contract within the geographical boundaries of SCAQMD and satisfies the requirements of subparagraph H below.
5. "Small business" as used in this policy means a business that meets the following criteria:
  - a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
    - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
    - A manufacturer with 100 or fewer employees.
  - b. Manufacturer means a business that is both of the following:
    - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
    - 2) Classified between Codes 311000 and 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.
6. "Joint ventures" as defined in this policy pertaining to certification means that one party to the joint venture is a DVBE or small business and owns at least 51 percent of the joint venture.
7. "Low-Emission Vehicle Business" as used in this policy means a company or contractor that uses low-emission vehicles in conducting deliveries to SCAQMD. Low-emission vehicles include vehicles powered by electric, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol, hydrogen and diesel retrofitted with particulate matter (PM) traps.
8. "Off-Peak Hours Delivery Business" as used in this policy means a company or contractor that commits to conducting deliveries to SCAQMD during off-peak traffic hours defined as between 10:00 a.m. and 3:00 p.m.

## ATTACHMENT A

### PARTICIPATION IN THE PROCUREMENT PROCESS

9. "Benefits Incentive Business" as used in this policy means a company or contractor that provides janitorial, security guard or landscaping services to SCAQMD and commits to providing employee health benefits (as defined below in Section VIII.D.2.d) for full time workers with affordable deductible and co-payment terms.
  10. "Minority Business Enterprise" as used in this policy means a business that is at least 51 percent owned by one or more minority person(s), or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more or minority persons.
    - a. a business whose management and daily business operations are controlled by one or more minority persons.
    - b. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.
    - c. "Minority person" for purposes of this policy, means a Black American, Hispanic American, Native-American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian (including a person whose origins are from India, Pakistan, and Bangladesh), Asian-Pacific-American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, and Taiwan).
  11. "Most Favored Customer" as used in this policy means that the SCAQMD will receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services.
  12. "Disadvantaged Business Enterprise" as used in this policy means a business that is an entity owned and/or controlled by a socially and economically disadvantaged individual(s) as described by Title X of the Clean Air Act Amendments of 1990 (42 U.S.C. 7601 note) (10% statute), and Public Law 102-389 (42 U.S.C. 4370d)(8% statute), respectively;
    - a Small Business Enterprise (SBE);
    - a Small Business in a Rural Area (SBRA);
    - a Labor Surplus Area Firm (LSAF); or
    - a Historically Underutilized Business (HUB) Zone Small Business Concern, or a concern under a successor program.
- C. Under Request for Quotations (RFQ), DVBEs, DVBE business joint ventures, small businesses, and small business joint ventures shall be granted a preference in an amount equal to 5% of the lowest cost responsive bid. Low-Emission Vehicle Businesses shall be granted a preference in an amount equal to 5 percent of the lowest cost responsive bid. Off-Peak Hours Delivery Businesses shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid. Local businesses (if the procurement is not

# ATTACHMENT A

## **PARTICIPATION IN THE PROCUREMENT PROCESS**

funded in whole or in part by federal grant funds) shall be granted a preference in an amount equal to 2% of the lowest cost responsive bid. Businesses offering Most Favored Customer status shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid.

- D. Under Request for Proposals, DVBEs, DVBE joint ventures, small businesses, and small business joint ventures shall be awarded ten (10) points in the evaluation process. A non-DVBE or large business shall receive seven (7) points for subcontracting at least twenty-five (25%) of the total contract value to a DVBE and/or small business. Low-Emission Vehicle Businesses shall be awarded five (5) points in the evaluation process. On procurements which are not funded in whole or in part by federal grant funds local businesses shall receive five (5) points. Off-Peak Hours Delivery Businesses shall be awarded two (2) points in the evaluation process. Businesses offering Most Favored Customer status shall be awarded two (2) points in the evaluation process.
- E. SCAQMD will ensure that discrimination in the award and performance of contracts does not occur on the basis of race, color, sex, national origin, marital status, sexual preference, creed, ancestry, medical condition, or retaliation for having filed a discrimination complaint in the performance of SCAQMD contractual obligations.
- F. SCAQMD requires Contractor to be in compliance with all state and federal laws and regulations with respect to its employees throughout the term of any awarded contract, including state minimum wage laws and OSHA requirements.
- G. When contracts are funded in whole or in part by federal funds, and if subcontracts are to be let, the Contractor must comply with the following, evidencing a good faith effort to solicit disadvantaged businesses. Contractor shall submit a certification signed by an authorized official affirming its status as a MBE or WBE, as applicable, at the time of contract execution. SCAQMD reserves the right to request documentation demonstrating compliance with the following good faith efforts prior to contract execution.
  - 1. Ensure Disadvantaged Business Enterprises (DBEs) are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
  - 2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
  - 3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and Local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.

## **ATTACHMENT A**

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

4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
  5. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
  6. If the prime contractor awards subcontracts, require the prime contractor to take the above steps.
- H. To the extent that any conflict exists between this policy and any requirements imposed by federal and state law relating to participation in a contract by a certified MBE/WBE/DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.
- I. When contracts are not funded in whole or in part by federal grant funds, a local business preference will be awarded. For such contracts that involve the purchase of commercial off-the-shelf products, local business preference will be given to suppliers or distributors of commercial off-the-shelf products who maintain an ongoing business within the geographical boundaries of SCAQMD. However, if the subject matter of the RFP or RFQ calls for the fabrication or manufacture of custom products, only companies performing 90% of the manufacturing or fabrication effort within the geographical boundaries of SCAQMD shall be entitled to the local business preference.
- J. In compliance with federal fair share requirements set forth in 40 CFR Part 33, SCAQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.

## ATTACHMENT B

### CERTIFICATIONS AND REPRESENTATIONS



# South Coast Air Quality Management District

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

### Business Information Request

Dear SCAQMD Contractor/Supplier:

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

Michael B. O'Kelly  
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 9/15





# 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), minoritybusiness 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 SCAQMD,\_(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 SCAQMD 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 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 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 SCAQMD 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.**

Print or type See Specific Instructions on page 2.	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; check only <b>one</b> of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <b>Note.</b> For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____		4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.)		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 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.

<b>Social security number</b>									

**Note.** If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

**or**

<b>Employer identification number</b>									

### 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 on page 3.

<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.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

#### 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? on page 2.*

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?* on page 2 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 Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

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

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

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

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

If you are a nonresident alien or a foreign entity, 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 28% 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 Part II instructions on page 3 for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code* on page 3 and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships* above.

## 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* on page 3 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, list first, and then circle, the name of the person or entity whose number you entered in Part I of 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 in line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box in line 3.

**Limited Liability Company (LLC).** If the name on line 1 is an LLC treated as a partnership for U.S. federal tax purposes, check the "Limited Liability Company" box and enter "P" in the space provided. If the LLC has filed Form 8832 or 2553 to be taxed as a corporation, check the "Limited Liability Company" box and in the space provided enter "C" for C corporation or "S" for S corporation. If it is a single-member LLC that is a disregarded entity, do not check the "Limited Liability Company" box; instead check the first box in line 3 "Individual/sole proprietor or single-member LLC."

**Line 4, Exemptions**

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space in 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.

**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. However, the IRS prefers that you use your SSN.

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

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

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

If you are asked to complete Form W-9 but do not have a TIN, 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 items 1, 4, or 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on 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), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

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

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

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

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

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

<sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 2.

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

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

**Secure Your Tax Records from Identity Theft**

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

To reduce your risk:

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

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

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

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

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

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

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

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](mailto:phishing@irs.gov). You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (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 contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDTHEFT (1-877-438-4338).

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

**Privacy Act Notice**

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. 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.



# 2015 Withholding Exemption Certificate

# 590

The payee completes this form and submits it to the withholding agent.

### Withholding Agent (Type or print)

Name

### Payee

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 reason box below that applies to the payee.

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

- Individuals — Certification of Residency:**  
I am a resident of California and I reside at the address shown above. If I become a nonresident at any time, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.
- Corporations:**  
The corporation has a permanent place of business in California at the address shown above or is qualified through the California Secretary of State (SOS) to do business in California. The corporation will file a California tax return. If this corporation ceases to have a permanent place of business in California or ceases to do any of the above, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.
- Partnerships or Limited Liability Companies (LLCs):**  
The partnership or LLC has a permanent place of business in California at the address shown above or is registered with the California SOS, and is subject to the laws of California. The partnership or LLC will file a California tax return. If the partnership or LLC ceases to do any of the above, I will promptly inform the withholding agent. For withholding purposes, a limited liability partnership (LLP) is treated like any other partnership.
- Tax-Exempt Entities:**  
The entity is exempt from tax under California Revenue and Taxation Code (R&TC) Section 23701 \_\_\_\_\_ (insert letter) or Internal Revenue Code Section 501(c) \_\_\_\_\_ (insert number). If this entity ceases to be exempt from tax, I will promptly notify the withholding agent. Individuals cannot be tax-exempt entities.
- Insurance Companies, Individual Retirement Arrangements (IRAs), or Qualified Pension/Profit Sharing Plans:**  
The entity is an insurance company, IRA, or a federally qualified pension or profit-sharing plan.
- California Trusts:**  
At least one trustee and one noncontingent beneficiary of the above-named trust is a California resident. The trust will file a California fiduciary tax return. If the trustee or noncontingent beneficiary becomes a nonresident at any time, I will promptly notify the withholding agent.
- Estates — Certification of Residency of Deceased Person:**  
I am the executor of the above-named person's estate or trust. The decedent was a California resident at the time of death. The estate will file a California fiduciary tax return.
- Nonmilitary Spouse of a Military Servicemember:**  
I am a nonmilitary spouse of a military servicemember and I meet the Military Spouse Residency Relief Act (MSRRA) requirements. See instructions for General Information E, MSRRA.

**CERTIFICATE OF PAYEE:** Payee must complete and sign below.

Under penalties of perjury, I hereby certify that the information provided in this document is, to the best of my knowledge, true and correct. If conditions change, I will promptly notify the withholding agent.

Payee's name and title (type or print) \_\_\_\_\_ Telephone (\_\_\_\_) \_\_\_\_\_

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

# 2015 Instructions for Form 590

## Withholding Exemption Certificate

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

### General Information

**Registered Domestic Partners (RDP)** – For purposes of California income tax, references to a spouse, husband, or wife also refer to a Registered Domestic Partner (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 information on California backup withholding, go to [ftb.ca.gov](http://ftb.ca.gov) and search for **backup withholding**.

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

**Do not** use Form 590 to certify an exemption from withholding if you are a **Seller of California real estate**. Sellers of California real estate use Form 593-C, Real Estate Withholding Certificate, to claim an exemption from real estate withholding.

**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

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.

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 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 certificate on the preprinted form, the withholding agent may accept as a substitute certificate a letter from the payee explaining why the payee is 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. The withholding agent must retain a copy of the certificate or substitute for at least four years after the last payment to which the certificate applies, and provide it upon request to the FTB.

For example, 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 non-wage 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, get 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 if it is a foreign corporation qualified to transact intrastate business by the CA SOS. 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 taxpayer identification number (TIN) and check the appropriate TIN box.

You must provide an acceptable 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** – Enter the information in the following order: City, Country, Province/Region, and Postal Code. Follow the country's practice for entering the postal code. **Do not** abbreviate the country's name.

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

### Withholding Agent Instructions

Keep Form 590 for your records. **Do not** send this form to the FTB unless it has been specifically requested.

For more information, contact Withholding Services and Compliance, see Additional Information.

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, and Form 592-V, Payment Voucher for Resident and Nonresident Withholding.

---

## Additional Information

For additional information or to speak to a representative regarding this form, call the Withholding Services and Compliance telephone service at:

Telephone: **888.792.4900**  
916.845.4900  
Fax: 916.845.9512

OR write to:

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

You can download, view, and print California tax forms and publications at [ftb.ca.gov](http://ftb.ca.gov).

OR to get forms by mail write to:

TAX FORMS REQUEST UNIT  
FRANCHISE TAX BOARD  
PO BOX 307  
RANCHO CORDOVA CA 95741-0307

For all other questions unrelated to withholding or to access the TTY/TDD numbers, see the information below.

### Internet and Telephone Assistance

Website: [ftb.ca.gov](http://ftb.ca.gov)  
Telephone: 800.852.5711 from within the United States  
916.845.6500 from outside the United States

TTY/TDD: 800.822.6268 for persons with hearing or speech impairments

### Asistencia Por Internet y Teléfono

Sitio web: [ftb.ca.gov](http://ftb.ca.gov)  
Teléfono: 800.852.5711 dentro de los Estados Unidos  
916.845.6500 fuera de los Estados Unidos

TTY/TDD: 800.822.6268 para personas con discapacidades auditivas o del habla



## CAMPAIGN CONTRIBUTIONS DISCLOSURE

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

California law prohibits a party, or an agent, from making campaign contributions to SCAQMD Governing Board Members or members/alternates of the Mobile Source Air Pollution Reduction Review Committee (MSRC) of more than \$250 while their contract or permit is pending before SCAQMD; 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, SCAQMD Board Members or members/alternates of the MSRC must abstain from voting on a contract or permit if they have received a campaign contribution from a party or participant to the proceeding, or agent, totaling more than \$250 in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov't Code §84308(c).

The list of current SCAQMD Governing Board Members can be found at SCAQMD 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).

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

### **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: \_\_\_\_\_

<b>DEFINITIONS</b>
<p style="text-align: center;">Parent, Subsidiary, or Otherwise Related Business Entity (2 Cal. Code of Regs., §18703.1(d).)</p> <p>(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.</p> <p>(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:</p> <ul style="list-style-type: none"> <li>(A) One business entity has a controlling ownership interest in the other business entity.</li> <li>(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:                             <ul style="list-style-type: none"> <li>(i) The same person or substantially the same person owns and manages the two entities;</li> <li>(ii) There are common or commingled funds or assets;</li> <li>(iii) The business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis;</li> <li>(iv) There is otherwise a regular and close working relationship between the entities; or</li> </ul> </li> <li>(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.</li> </ul>



# 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 (SCAQMD) 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 SCAQMD 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 SCAQMD for distribution. This will delay my payment.
- This authorization remains in effect until SCAQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless SCAQMD 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 SCAQMD Use Only

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

Date \_\_\_\_\_

 [Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 4

**PROPOSAL:** Issue RFP for Protocol Development for Reconciling Air Quality Monitoring Data with Dispersion Modeling Results

**SYNOPSIS:** SCAQMD staff reviews and approves dispersion modeling and Health Risk Assessments for facilities subject to the AB 2588 Air Toxics “Hot Spots” Act and Rule 1402. In recent years, these dispersion modeling analyses have been informed by local air quality monitoring efforts conducted near some of these facilities. Frequently, these monitoring efforts have identified new sources of emissions that then need to be included in the dispersion modeling analysis. This effort will provide a protocol to ensure a consistent methodology is applied with this model-to-monitor ‘reconciliation’ for all facilities. This action is to issue an RFP to select a consultant with experience in dispersion modeling and evaluating monitoring data to develop this protocol. Funds for this proposal in an amount not to exceed \$100,000 are included in the FY 2015-16 Budget.

**COMMITTEE:** Administrative, March 11, 2016; Recommended for Approval

**RECOMMENDED ACTION:**

Approve issuance of RFP #P2016-21 to solicit proposals for experienced contractors to develop a protocol for reconciliation of air quality monitoring data with dispersion modeling results for use in review of Health Risk Assessments (HRAs) for the AB 2588 Toxic Hot Spots Program and Rule 1402.

Michael B. O’Kelly  
Acting Executive Officer

PF:JW:IM:VM

---

**Background**

The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (commonly known as AB 2588) established a statewide program for the inventory of air toxics emissions from individual facilities as well as requirements for Health Risk Assessment

(HRA) and public notification of potential health risks. An HRA includes a dispersion modeling analysis and an analysis of potential health impacts from predicted concentrations. Some HRAs also include air quality monitoring data collected onsite. SCAQMD staff reviews and approves dispersion modeling and HRAs for facilities subject to the AB 2588 Program and Rule 1402. In recent years, these dispersion modeling analyses have been informed by local air quality monitoring efforts conducted at some of these facilities. Monitoring can be used for a variety of purposes such as compliance with specific rules and regulations, assessment of public exposure to pollutants, assessment of pollutant transport, monitoring of specific emissions sources, monitoring of background conditions, and evaluating models. Frequently, these monitoring efforts have identified new sources of fugitive emissions that then need to be included in the dispersion modeling analysis.

### **Proposal**

#### **Issue RFP**

This action is to issue RFP #P2016-21 to solicit proposals from qualified contractors for development of a scientific and consistent methodology for reconciliation of model-predicted and field measured (model-to-monitor) pollutant concentrations. This RFP seeks qualified, independent vendors, academic institutions, or other public and private organizations with proven expertise in preparing HRAs, dispersion modeling, assessment of population exposure to pollutants, assessment of pollutant transport, monitoring of specific emissions sources, monitoring of background conditions, and evaluating models (see attached RFP for further details and a complete list of desirable qualifications).

### **Outreach**

In accordance with SCAQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids will be published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin. Notice will also be provided to other organizations such as the Association of Environmental Professionals and various local academic institutions.

Additionally, potential bidders will be notified utilizing SCAQMD's own electronic listing of certified minority vendors. Notice of the RFP 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 SCAQMD's website (<http://www.aqmd.gov>).



**Bid Evaluation**

Consultants will be selected through an open bidding process according to SCAQMD's Consultant Selection Policy and Proposals. Proposals received will be evaluated by a diverse panel of qualified individuals according to the criteria described in the attached RFP.

**Benefits to SCAQMD**

The proposed work will provide SCAQMD and others with a scientific and consistent methodology for reconciliation of model-predicted and field-measured pollutant concentrations when reviewing HRAs. This information will further our understanding of sources of fugitive emissions and will provide facility operators with accurate feedback on designing effective control strategies.

This work will improve emission inventories by narrowing the gap between measured and reported fugitive emission levels from facilities. It will also serve as valuable input to improving future air quality model performance and refining future attainment/control strategies and environmental decision-making.

**Resource Impacts**

Awards under the RFP are estimated to be no more than \$100,000 and funds are currently available in the FY 2015-16 budget.

**Attachment**

RFP #2016-21



# South Coast Air Quality Management District

## REQUEST FOR PROPOSALS

### AB 2588 PROGRAM SUPPORT FOR TECHNICAL REVIEWS

#### #P2016-21

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

#### **PURPOSE**

The purpose of this Request for Proposals (RFP) is to solicit qualified firms or sole practitioners to provide technical support to the South Coast Air Quality Management District (SCAQMD) staff to develop a standard protocol for reconciliation of air quality monitoring data with dispersion modeling results for Health Risk Assessments (HRAs) for the AB 2588 Toxic Hot Spots Program.

The RFP consists of one task aimed to achieve the goal outlined above (see Section V for details). The proposer will be required to work closely with SCAQMD AB 2588 staff and provide technical assistance with:

- reviewing scientific and regulatory literature to evaluate applicable techniques for reconciling air quality monitoring data and dispersion modeling results
- reviewing air quality monitoring data and evaluating it in comparison to predicted concentrations from dispersion modeling conducted in AB 2588 HRAs; and
- preparing a protocol to ensure a consistent methodology is applied for all AB 2588 HRAs where air quality monitoring data is available

The proposer should demonstrate ample knowledge and experience in:

- preparing HRAs using the ARB's HARP2 (or the most current version) software;
- dispersion modeling with U.S. EPA air quality model AERMOD;
- evaluating air quality monitoring data;
- knowledge of emission estimation techniques, using emission factors, source test data, or any other method of emission quantification used in estimating air toxics emissions; and
- applying the most updated relevant regulations and procedures to HRA preparation, including SCAQMD dispersion modeling guidance and OEHHA HRA guidance.

Proposals will be reviewed and evaluated by a diverse, technical panel of experts in accordance with criteria contained in this RFP. The cost of this project is up to \$100,000, and the contract term will be one year.

**INDEX** - The following are contained in this RFP:

Section I	Background/Information
Section II	Contact Person
Section III	Schedule of Events
Section IV	Participation in the Procurement Process
Section V	Statement of Work/Schedule of Deliverables
Section VI	Required Qualifications
Section VII	Proposal Submittal Requirements
Section VIII	Proposal Submission
Section IX	Proposal Evaluation/Contractor Selection Criteria
Section X	Funding
Section XI	Sample Contract

Attachment A - Participation in the Procurement Process

Attachment B - Certifications and Representations

**SECTION I: BACKGROUND/INFORMATION**

The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (commonly known as AB 2588) established a statewide program for the inventory of air toxics emissions from individual facilities as well as requirements for Health Risk Assessment (HRA) and public notification of potential health risks. A HRA includes a dispersion modeling analysis and an analysis of potential health impacts from predicted concentrations. SCAQMD staff reviews and approves dispersion modeling and HRAs for facilities subject to the AB 2588 Program and Rule 1402. Some facilities required to conduct an AB 2588 HRA may also have air quality monitoring data collected onsite or nearby available. In recent years, these dispersion modeling based HRAs have been informed by the local air quality monitoring efforts conducted near some of these facilities. Monitoring can be used to meet variety of purposes such as compliance with specific rules and regulations, assessment of public exposure to pollutants, assessment of pollutant transport, monitoring of specific emissions sources, monitoring of background conditions, and evaluating models. Frequently, these monitoring efforts have identified new sources of fugitive emissions that then need to be included in the dispersion modeling analysis.

This RFP is for development of a scientific and consistent methodology for reconciliation of differences between model-predicted and field measured (model-to-monitor) pollutant concentrations for AB 2588 HRAs.

**SECTION II: CONTACT PERSON:**

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

**Victoria Moaveni – AB 2588 Program Supervisor**  
**Planning, Rule Development, and Area Sources**  
 SCAQMD  
 21865 Copley Drive  
 Diamond Bar, CA 91765-4178  
 (909) 396-2455

**SECTION III: SCHEDULE OF EVENTS**

<b>Date</b>	<b>Event</b>
April 1, 2016	RFP Released
April 15, 2016	Bidder's Conference*
May 04, 2016	Proposals Due to SCAQMD - <b>No Later Than 1:00 pm</b>
May 5 - May 6, 2016	Proposal Evaluations
May 17, 2016	Interviews, if required
June 3, 2016	Governing Board Approval
June 17, 2016	Anticipated Contract Execution

\*Participation in the Bidder's Conference is optional. Such participation would assist in notifying potential bidders of any updates or amendments. The Bidder's Conference will be held in Room CC-6 at the SCAQMD Headquarters in Diamond Bar, California at 2:00 pm on Friday, April 15, 2016. Please contact **Ryan Stromar** at (909) 396-2637 by close of business on Thursday, April 14, 2016 if you plan to attend.

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

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

**SECTION V: STATEMENT OF WORK/SCHEDULE OF DELIVERABLES****Statement of Work****Develop Protocol for Reconciliation of Air Quality Monitoring Data with Dispersion Modeling Results**

The Contractor(s) shall perform the following tasks:

1. Perform literature review of existing methodologies for reconciliation of model-to-monitor comparisons
2. Review current and previous HRAs to collect emissions data;
3. Review HRAs in other districts if necessary to gather additional information;
4. Review and compare available monitoring data in relation to the dispersion modeling results;
5. Perform statistical and situational analysis of the monitoring data, (i.e. trend analysis, spatial analysis, temporal analysis, factor analysis;
6. Use the above analysis to determine the adequacy and accuracy of monitoring data;
7. Assessment of population exposure to pollutants, pollutant transport, monitoring of specific emissions sources, monitoring of background conditions, and evaluating models;
8. Develop protocol for reconciliation of air quality monitoring data with dispersion modeling results for verification of emissions inventory estimation accuracy and comparison between emissions models and field-measured emissions; and

9. Indicate a range of differences between modeling and monitoring results that could be still considered acceptable without considering if extra sources may be contributing to monitoring results.

### Schedule of Deliverables

Work products will include standardized reports prepared under the direction of the SCAQMD AB 2588 staff. A preliminary draft report will be provided to SCAQMD AB 2588 staff according to the schedule below, followed by a final report after receiving feedback from SCAQMD AB 2588 staff. Final reports must include responses to feedback from SCAQMD AB 2588 staff.

Deliverable	Draft Report Preparation Length
Literature review report	2 months
Interim progress report	6 months
Preliminary Draft Protocol	10 months
Final Protocol	12 months

### SECTION VI: REQUIRED QUALIFICATIONS

- A. Persons or firms proposing to bid on this proposal must be qualified and experienced in preparing Health Risk Assessments (HRAs), dispersion modeling, assessment of population exposure to pollutants, assessment of pollutant transport, monitoring of specific emissions sources, monitoring of background conditions, evaluating models, and must submit qualifications demonstrating this ability using specific examples, including the experience of any potential subcontractor(s). Proposals should explicitly address how the person or firm will evaluate the monitoring data, including consideration of current data analytics approaches,. Proposers also should demonstrate ample knowledge and experience in the following software applications:
- HARP2 – Hotspots Analysis and Reporting Program (currently HARP2) or the most recent approved version
  - AERMOD - A steady-state plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain
  - AERMET - Meteorological data preprocessor that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts
  - FIND – SCAQMD’s Facility Information Detail (FIND) web tool
- B. Proposer must submit the following:
1. Resumes or similar statement of qualifications of person or persons who may be designated as leads.
  2. Summary of proposer's general qualifications to fulfill the statement of work.
  3. Summary of any potential subcontractor’s qualifications and the role of the subcontractor in fulfilling the statement of work.
  4. List of clients to whom similar or related services were provided in the past.

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

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

Each proposal must be submitted in three separate volumes:

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

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

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

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

### **VOLUME I - TECHNICAL PROPOSAL**

#### **DO NOT INCLUDE ANY COST INFORMATION IN THE TECHNICAL VOLUME**

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

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

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

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

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

1. List all key personnel assigned to the project by level, name and location. Provide a resume or similar statement describing the background, qualifications and experience of the lead person and all persons assigned to the project. Substitution of project manager or lead personnel will not be permitted without prior written approval of SCAQMD.
2. Provide a spreadsheet of the labor hours proposed for each labor category at the task level.
3. Provide a statement indicating whether or not 90% of the work will be performed within the geographical boundaries of SCAQMD.
4. Provide a statement of education and training programs provided to, or required of, the staff identified for participation in the project, particularly with reference to management consulting, governmental practices and procedures, and technical matters.
5. Provide a summary of your Firm's general qualifications to meet required qualifications and fulfill statement of work, including additional Firm personnel and resources beyond those who may be assigned to the project.

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

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

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

## **VOLUME II - COST PROPOSAL**

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

Cost Proposal – SCAQMD anticipates awarding a fixed price contract. Cost information must be provided as listed below:

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

- C. Travel Costs - Indicate amount of travel cost and basis of estimate to include trip destination, purpose of trip, length of trip, airline fare or mileage expense, per diem costs, lodging and car rental.
- D. Other Direct Costs -This category may include such items as postage and mailing expense, printing and reproduction costs, etc. Provide a basis of estimate for these costs.

- 2. It is the policy of the SCAQMD to receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services. SCAQMD will give preference, where appropriate, to vendors who certify that they will provide “most favored customer” status to the SCAQMD. To receive preference points, Proposer shall certify that SCAQMD is receiving “most favored customer” pricing in the Business Status Certifications page of Volume III, Attachment B – Certifications and Representations.

**VOLUME III - CERTIFICATIONS AND REPRESENTATIONS** (see Attachment B to this RFP)

**SECTION VIII: PROPOSAL SUBMISSION**

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

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

Due Date - **All proposals are due no later than 1:00 p.m., May 4, 2016, and should be directed to:**

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

Submittal - Submit four (4) complete copies of the proposal in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the Proposer and the words "Request for Proposals #P2016-21."

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

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

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

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



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

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

**1. Proposal Evaluation Criteria****R&D Projects Requiring Technical or Scientific Expertise, or Special Projects Requiring Unique Knowledge or Abilities**

Understanding the Problem	20
Technical/Management Approach	20
Contractor Qualifications	20
Previous Experience on Similar Projects	10
Cost	<u>30</u>
TOTAL	100

**(b) Additional Points**

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

**The cumulative points awarded for small business, DVBE, use of small business or DVBE subcontractors, low-emission vehicle business, local business, and off-peak hours delivery business shall not exceed 15 points.**

**Self-Certification for Additional Points**

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

2. To receive additional points in the evaluation process for the categories of Small Business or Small Business Joint Venture, DVBE or DVBE Joint Venture or Local Business (for non-federally funded projects), the proposer must submit a self-certification or certification from the State of California Office of Small Business Certification and Resources at the time of proposal submission certifying that the proposer meets the requirements set forth in Section III. To receive points for the use of DVBE and/or Small Business subcontractors, at least 25 percent of the total contract value must be subcontracted to DVBEs and/or Small Businesses. To receive points as a Low-Emission Vehicle Business, the proposer must demonstrate to the Executive Officer, or designee, that supplies and materials delivered to SCAQMD are delivered in vehicles that operate on either clean-fuels or if powered by diesel fuel, that the vehicles have particulate traps installed. To receive points as an Off-Peak Hours Delivery Business, the proposer must submit, at proposal submission, certification of its commitment to delivering supplies and materials to SCAQMD between the hours of 10:00 a.m. and 3:00 p.m. To receive points for Most Favored Customer status, the proposer must submit, at proposal submission, certification of its commitment to provide most favored customer status to the SCAQMD. The cumulative points awarded for small business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Low-Emission Vehicle Business and Off-Peak Hour Delivery Business shall not exceed 15 points.

The Procurement Section will be responsible for monitoring compliance of suppliers awarded purchase orders based upon use of low-emission vehicles or off-peak traffic hour delivery commitments through the use of vendor logs which will identify the contractor awarded the incentive. The purchase order shall incorporate terms which obligate the supplier to deliver materials in low-emission vehicles or deliver during off-peak traffic hours. The Receiving department will monitor those qualified supplier deliveries to ensure compliance to the purchase order requirements. Suppliers in non-compliance will be subject to a two percent of total purchase order value penalty. The Procurement Manager will adjudicate any disputes regarding either low-emission vehicle or off-peak hour deliveries.

3. For procurement of Research and Development (R & D) projects or projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, technical factors including past experience shall be weighted at 70 points and cost shall be weighted at 30 points. A proposal must receive at least 56 out of 70 points on R & D projects and projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, in order to be deemed qualified for award.
- C. During the selection process the evaluation panel may wish to interview some proposers for clarification purposes only. No new material will be permitted at this time. Additional information provided during the bid review process is limited to clarification by the Proposer of information presented in his/her proposal, upon request by SCAQMD.

- D. The Executive Officer or Governing Board may award the contract to a Proposer other than the Proposer receiving the highest rating in the event the Governing Board determines that another Proposer from among those technically qualified would provide the best value to SCAQMD considering cost and technical factors. The determination shall be based solely on the Evaluation Criteria contained in the Request for Proposal (RFP), on evidence provided in the proposal and on any other evidence provided during the bid review process.
- E. Selection will be made based on the above-described criteria and rating factors. The selection will be made by and is subject to Executive Officer or Governing Board approval. Proposers may be notified of the results by letter.
- F. The Governing Board has approved a Bid Protest Procedure which provides a process for a Bidder or prospective Bidder to submit a written protest to SCAQMD Procurement Manager in recognition of two types of protests: Protest Regarding Solicitation and Protest Regarding Award of a Contract. Copies of the Bid Protest Policy can be secured through a request to SCAQMD Procurement Department.
- G. The Executive Officer or Governing Board may award contracts to more than one proposer if in (his or their) sole judgment the purposes of the (contract or award) would best be served by selecting multiple proposers.
- H. If additional funds become available, the Executive Officer or Governing Board may increase the amount awarded. The Executive Officer or Governing Board may also select additional proposers for a grant or contract if additional funds become available.
- I. Disposition of Proposals – Pursuant to SCAQMD’s Procurement Policy and Procedure, SCAQMD reserves the right to reject any or all proposals. All proposals become the property of SCAQMD, and are subject to the California Public Records Act. One copy of the proposal shall be retained for SCAQMD files. Additional copies and materials will be returned only if requested and at the proposer's expense.
- J. **If proposal submittal is for a Public Works project as defined by State of California Labor Code Section 1720, Proposer is required to include Contractor Registration No. in Attachment B. Proposal submittal will be deemed as non-responsive and Bidder may be disqualified if Contractor Registration No. is not included in Attachment B. Proposer is alerted to changes to California Prevailing Wage compliance requirements as defined in Senate Bill 854 (Stat. 2014, Chapter 28), and California Labor Code Sections 1770, 1771 and 1725.**

## **SECTION X: FUNDING**

The total funding for the work contemplated by this RFP will be a maximum of **\$100,000**.

**SECTION XI: SAMPLE CONTRACT**

A sample contract to carry out the work described in this RFP is available on SCAQMD's website at <http://www.aqmd.gov/grants-bids> or upon request from:

**Victoria Moaveni – AB 2588 Program Supervisor  
Planning, Rule Development, and Area Sources  
SCAQMD  
21865 Copley Drive  
Diamond Bar, CA 91765-4178  
(909) 396-2455**

# ATTACHMENT A

## PARTICIPATION IN THE PROCUREMENT PROCESS

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

B. Definitions:

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

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

## **ATTACHMENT A**

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

- c. is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.
4. "Local business" as used in this policy means a company that has an ongoing business within geographical boundaries of SCAQMD at the time of bid or proposal submittal and performs 90% of the work related to the contract within the geographical boundaries of SCAQMD and satisfies the requirements of subparagraph H below.
5. "Small business" as used in this policy means a business that meets the following criteria:
  - a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
    - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
    - A manufacturer with 100 or fewer employees.
  - b. Manufacturer means a business that is both of the following:
    - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
    - 2) Classified between Codes 311000 and 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.
6. "Joint ventures" as defined in this policy pertaining to certification means that one party to the joint venture is a DVBE or small business and owns at least 51 percent of the joint venture.
7. "Low-Emission Vehicle Business" as used in this policy means a company or contractor that uses low-emission vehicles in conducting deliveries to SCAQMD. Low-emission vehicles include vehicles powered by electric, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol, hydrogen and diesel retrofitted with particulate matter (PM) traps.
8. "Off-Peak Hours Delivery Business" as used in this policy means a company or contractor that commits to conducting deliveries to SCAQMD during off-peak traffic hours defined as between 10:00 a.m. and 3:00 p.m.

## ATTACHMENT A

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

9. "Benefits Incentive Business" as used in this policy means a company or contractor that provides janitorial, security guard or landscaping services to SCAQMD and commits to providing employee health benefits (as defined below in Section VIII.D.2.d) for full time workers with affordable deductible and co-payment terms.
  10. "Minority Business Enterprise" as used in this policy means a business that is at least 51 percent owned by one or more minority person(s), or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more or minority persons.
    - a. a business whose management and daily business operations are controlled by one or more minority persons.
    - b. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.
    - c. "Minority person" for purposes of this policy, means a Black American, Hispanic American, Native-American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian (including a person whose origins are from India, Pakistan, and Bangladesh), Asian-Pacific-American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, and Taiwan).
  11. "Most Favored Customer" as used in this policy means that the SCAQMD will receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services.
  12. "Disadvantaged Business Enterprise" as used in this policy means a business that is an entity owned and/or controlled by a socially and economically disadvantaged individual(s) as described by Title X of the Clean Air Act Amendments of 1990 (42 U.S.C. 7601 note) (10% statute), and Public Law 102-389 (42 U.S.C. 4370d)(8% statute), respectively;
    - a Small Business Enterprise (SBE);
    - a Small Business in a Rural Area (SBRA);
    - a Labor Surplus Area Firm (LSAF); or
    - a Historically Underutilized Business (HUB) Zone Small Business Concern, or a concern under a successor program.
- C. Under Request for Quotations (RFQ), DVBEs, DVBE business joint ventures, small businesses, and small business joint ventures shall be granted a preference in an amount equal to 5% of the lowest cost responsive bid. Low-Emission Vehicle Businesses shall be granted a preference in an amount equal to 5 percent of the lowest cost responsive bid. Off-Peak Hours Delivery Businesses shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid. Local businesses (if the procurement is not

## **ATTACHMENT A**

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

funded in whole or in part by federal grant funds) shall be granted a preference in an amount equal to 2% of the lowest cost responsive bid. Businesses offering Most Favored Customer status shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid.

- D. Under Request for Proposals, DVBEs, DVBE joint ventures, small businesses, and small business joint ventures shall be awarded ten (10) points in the evaluation process. A non-DVBE or large business shall receive seven (7) points for subcontracting at least twenty-five (25%) of the total contract value to a DVBE and/or small business. Low-Emission Vehicle Businesses shall be awarded five (5) points in the evaluation process. On procurements which are not funded in whole or in part by federal grant funds local businesses shall receive five (5) points. Off-Peak Hours Delivery Businesses shall be awarded two (2) points in the evaluation process. Businesses offering Most Favored Customer status shall be awarded two (2) points in the evaluation process.
- E. SCAQMD will ensure that discrimination in the award and performance of contracts does not occur on the basis of race, color, sex, national origin, marital status, sexual preference, creed, ancestry, medical condition, or retaliation for having filed a discrimination complaint in the performance of SCAQMD contractual obligations.
- F. SCAQMD requires Contractor to be in compliance with all state and federal laws and regulations with respect to its employees throughout the term of any awarded contract, including state minimum wage laws and OSHA requirements.
- G. When contracts are funded in whole or in part by federal funds, and if subcontracts are to be let, the Contractor must comply with the following, evidencing a good faith effort to solicit disadvantaged businesses. Contractor shall submit a certification signed by an authorized official affirming its status as a MBE or WBE, as applicable, at the time of contract execution. SCAQMD reserves the right to request documentation demonstrating compliance with the following good faith efforts prior to contract execution.
  - 1. Ensure Disadvantaged Business Enterprises (DBEs) are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
  - 2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
  - 3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and Local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.



## **ATTACHMENT A**

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

4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
  5. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
  6. If the prime contractor awards subcontracts, require the prime contractor to take the above steps.
- H. To the extent that any conflict exists between this policy and any requirements imposed by federal and state law relating to participation in a contract by a certified MBE/WBE/DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.
- I. When contracts are not funded in whole or in part by federal grant funds, a local business preference will be awarded. For such contracts that involve the purchase of commercial off-the-shelf products, local business preference will be given to suppliers or distributors of commercial off-the-shelf products who maintain an ongoing business within the geographical boundaries of SCAQMD. However, if the subject matter of the RFP or RFQ calls for the fabrication or manufacture of custom products, only companies performing 90% of the manufacturing or fabrication effort within the geographical boundaries of SCAQMD shall be entitled to the local business preference.
- J. In compliance with federal fair share requirements set forth in 40 CFR Part 33, SCAQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.

## ATTACHMENT B

### CERTIFICATIONS AND REPRESENTATIONS



# South Coast Air Quality Management District

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

### Business Information Request

Dear SCAQMD Contractor/Supplier:

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

Michael B. O'Kelly  
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 9/15



# 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 SCAQMD, (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 SCAQMD 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 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 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 SCAQMD 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.**

Print or type See Specific Instructions on page 2.	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; check only <b>one</b> of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <b>Note.</b> For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____		4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.)		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 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.

<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 and the chart on page 4 for guidelines on whose number to enter.

### Part II Certification

Under penalties of perjury, I certify that:

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

<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.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

#### 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? on page 2.*

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?* on page 2 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 Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

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

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

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

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

If you are a nonresident alien or a foreign entity, 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 28% 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 Part II instructions on page 3 for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code* on page 3 and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships* above.

## 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* on page 3 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, list first, and then circle, the name of the person or entity whose number you entered in Part I of 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 in line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box in line 3.

**Limited Liability Company (LLC).** If the name on line 1 is an LLC treated as a partnership for U.S. federal tax purposes, check the "Limited Liability Company" box and enter "P" in the space provided. If the LLC has filed Form 8832 or 2553 to be taxed as a corporation, check the "Limited Liability Company" box and in the space provided enter "C" for C corporation or "S" for S corporation. If it is a single-member LLC that is a disregarded entity, do not check the "Limited Liability Company" box; instead check the first box in line 3 "Individual/sole proprietor or single-member LLC."

**Line 4, Exemptions**

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space in 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.

**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. However, the IRS prefers that you use your SSN.

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

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

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

If you are asked to complete Form W-9 but do not have a TIN, 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 items 1, 4, or 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on 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), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

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

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

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

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

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

<sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 2.

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

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

**Secure Your Tax Records from Identity Theft**

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

To reduce your risk:

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

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

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

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

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

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

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

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](mailto:phishing@irs.gov). You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (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 contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDTHEFT (1-877-438-4338).

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

**Privacy Act Notice**

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. 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.

# 2015 Withholding Exemption Certificate

# 590

The payee completes this form and submits it to the withholding agent.

### Withholding Agent (Type or print)

Name \_\_\_\_\_

### Payee

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 reason box below that applies to the payee.

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

**Individuals — Certification of Residency:**

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

**Corporations:**

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

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

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

**Tax-Exempt Entities:**

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

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

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

**California Trusts:**

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

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

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

**Nonmilitary Spouse of a Military Servicemember:**

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

**CERTIFICATE OF PAYEE:** Payee must complete and sign below.

Under penalties of perjury, I hereby certify that the information provided in this document is, to the best of my knowledge, true and correct. If conditions change, I will promptly notify the withholding agent.

Payee's name and title (type or print) \_\_\_\_\_ Telephone (\_\_\_\_) \_\_\_\_\_

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

# 2015 Instructions for Form 590

## Withholding Exemption Certificate

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

### General Information

**Registered Domestic Partners (RDP)** – For purposes of California income tax, references to a spouse, husband, or wife also refer to a Registered Domestic Partner (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 information on California backup withholding, go to [ftb.ca.gov](http://ftb.ca.gov) and search for **backup withholding**.

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

**Do not use Form 590 to certify an exemption from withholding if you are a Seller of California real estate.** Sellers of California real estate use Form 593-C, Real Estate Withholding Certificate, to claim an exemption from real estate withholding.

**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

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.

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 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 certificate on the preprinted form, the withholding agent may accept as a substitute certificate a letter from the payee explaining why the payee is 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. The withholding agent must retain a copy of the certificate or substitute for at least four years after the last payment to which the certificate applies, and provide it upon request to the FTB.

For example, 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 non-wage 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, get 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 if it is a foreign corporation qualified to transact intrastate business by the CA SOS. 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 taxpayer identification number (TIN) and check the appropriate TIN box.

You must provide an acceptable 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** – Enter the information in the following order: City, Country, Province/Region, and Postal Code. Follow the country's practice for entering the postal code. **Do not** abbreviate the country's name.

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

### Withholding Agent Instructions

Keep Form 590 for your records. **Do not** send this form to the FTB unless it has been specifically requested.

For more information, contact Withholding Services and Compliance, see Additional Information.

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, and Form 592-V, Payment Voucher for Resident and Nonresident Withholding.

## Additional Information

For additional information or to speak to a representative regarding this form, call the Withholding Services and Compliance telephone service at:

Telephone: **888.792.4900**  
916.845.4900

Fax: 916.845.9512

OR write to:

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

You can download, view, and print California tax forms and publications at [ftb.ca.gov](http://ftb.ca.gov).

OR to get forms by mail write to:

TAX FORMS REQUEST UNIT  
FRANCHISE TAX BOARD  
PO BOX 307  
RANCHO CORDOVA CA 95741-0307

For all other questions unrelated to withholding or to access the TTY/TDD numbers, see the information below.

### Internet and Telephone Assistance

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

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

TTY/TDD: 800.822.6268 for persons with hearing or speech impairments

### Asistencia Por Internet y Teléfono

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

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

TTY/TDD: 800.822.6268 para personas con discapacidades auditivas o del habla



## CAMPAIGN CONTRIBUTIONS DISCLOSURE

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

California law prohibits a party, or an agent, from making campaign contributions to SCAQMD Governing Board Members or members/alternates of the Mobile Source Air Pollution Reduction Review Committee (MSRC) of more than \$250 while their contract or permit is pending before SCAQMD; 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, SCAQMD Board Members or members/alternates of the MSRC must abstain from voting on a contract or permit if they have received a campaign contribution from a party or participant to the proceeding, or agent, totaling more than \$250 in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov’t Code §84308(c).

The list of current SCAQMD Governing Board Members can be found at SCAQMD 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).*

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

### **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 (SCAQMD) 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 SCAQMD 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 SCAQMD for distribution. This will delay my payment.
- This authorization remains in effect until SCAQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless SCAQMD 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 SCAQMD Use Only

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

Date \_\_\_\_\_



 [Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 5

PROPOSAL: Issue RFP for CEQA Consultant Assistance

SYNOPSIS: The SCAQMD requires additional resources to assist staff with the preparation of all or portions of CEQA documents for SCAQMD rule or permit projects where the SCAQMD is the lead agency under CEQA and other CEQA-related tasks, as necessary. This action is to issue an RFP to select one or more pre-qualified contractors experienced in CEQA analysis and document preparation to assist staff with these tasks. Funds for this proposal in an amount not to exceed \$100,000 are included in the FY 2015-16 Budget.

COMMITTEE: Administrative, March 11, 2016; Recommended for Approval

**RECOMMENDED ACTION:**

Approve the release of the attached RFP to solicit proposals for consultants to provide assistance with the preparation of documents in accordance with the requirements of the California Environmental Quality Act at a cost not to exceed \$100,000. Any contracts awarded would be valid for a period of up to two years, with an option to extend for an additional year, at the discretion of the Executive Officer as long as total costs do not exceed \$100,000.

Michael B. O'Kelly  
Acting Executive Officer

JW:IM:BR

---

**Background**

Pursuant to the California Public Resources Code and California Code of Regulations, the California Environmental Quality Act (CEQA) applies to projects undertaken by, funded by, or requiring discretionary approval from public agencies. Consequently, CEQA analyses, documents, or notices are required for all SCAQMD rules, regulations, or plans prior to their adoption or modification by the Board. The SCAQMD can also be the CEQA lead agency for non-SCAQMD projects within the jurisdiction of the

SCAQMD, where the SCAQMD has the primary discretionary permit authority (e.g., certain projects at power plants, refineries, etc.).

Moreover, Public Resources Code §21082.1 allows CEQA documents to be either directly prepared by a public agency or prepared under contract to a public agency. The public agency must retain independent review of all documents prepared by consultants. To augment current staff resources to prepare CEQA documents for SCAQMD rule and permit projects, staff recommends securing the services of one or more qualified consultants.

### **Proposal**

SCAQMD seeks the service(s) of qualified CEQA contractor(s) primarily to assist SCAQMD CEQA staff with preparing CEQA documents for SCAQMD rule, plan, and permit projects and conducting other CEQA-related activities, as necessary. Initial funding would be up to a maximum of \$100,000 to apply for the duration of the contract(s). The two-year contract includes an option to extend for an additional year, contingent on satisfactory performance, at the Executive Officer's discretion.

### **Outreach**

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

Additionally, potential bidders may be notified utilizing SCAQMD's own electronic listing of certified minority vendors. Notice of the RFP will be emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, including small businesses, and placed on SCAQMD's website (<http://www.aqmd.gov>) where it can be viewed by making the selection "Grants & Bids."

### **Bid Evaluation**

Consultants will be selected through an open bidding process according to SCAQMD's Consultant Selection Policy and Procedures. Proposals received will be evaluated by a diverse panel of qualified individuals according to the criteria described in the attached RFP. Successful bidders shall be retained by level-of-effort contracts; therefore work assignments can be issued for specific needs and projects. Multiple awards for level-of-effort contracts may be made from this solicitation.

**Benefits to SCAQMD**

The proposed work will benefit SCAQMD by providing outside consultant assistance in the preparation of CEQA analyses and documents as well as to provide other CEQA-related activities. This funding will provide necessary outside expertise and additional resources on an as-needed basis when preparing CEQA documents for rule and permit projects.

**Resource Impacts**

Awards under the RFP are estimated to be no more than \$100,000 and are available within the current FY 2015-16 budget.

**Attachment**

RFP #2016-20 - CEQA Consultant Assistance



## **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

### **REQUEST FOR PROPOSALS**

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CONSULTANT ASSISTANCE**

#P2016-20

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

#### **PURPOSE**

The purpose of this Request for Proposals (RFP) is to solicit and pre-qualify Consultants with expertise in conducting technical analyses and preparing documents in accordance with the California Environmental Quality Act (CEQA), and award contracts with one or more successful Proposers to assist or augment SCAQMD staff primarily with preparing technical analyses to be included in the CEQA documents where the SCAQMD is the lead agency under CEQA. In addition, another purpose of this RFP is for the SCAQMD to solicit and pre-qualify CEQA consultant assistance with other CEQA-related tasks including preparing all or portions of CEQA documents for SCAQMD rule-related projects, including future Air Quality Management Plans; preparing all or portions of CEQA documents for permit application projects where the SCAQMD is the lead agency under CEQA and performing other CEQA-related tasks as necessary. The Consultants are required to have, and be able to demonstrate knowledge of the substantive and procedural requirements of CEQA and broad experience preparing CEQA documents. The Consultants must be able to demonstrate expertise in analyzing environmental impacts resulting from a variety of different types of regulatory programs such as control measures in the 2012 and upcoming 2016 AQMP. Consultant proposals should demonstrate comprehensive knowledge of CEQA, application of CEQA to air quality regulatory programs, the SCAQMD's 2012 and upcoming 2016 AQMP, and other SCAQMD programs and procedures, as well as demonstrate substantial experience and ability analyzing environmental impacts in areas identified by CEQA such as air quality, land use, water resources, human health issues, hazard risks, etc.

The Consultants are required to have, and be able to demonstrate knowledge of the substantive and procedural requirements of CEQA and extensive experience as the primary consultants responsible for preparing CEQA documents. The Consultant must be able to demonstrate expertise in analyzing environmental impacts resulting from a variety of different types of regulatory programs and affected sources.

Consultant proposals should demonstrate extensive knowledge of CEQA; the SCAQMD's certified regulatory program, air quality analysis, including but not limited to knowledge of dispersion models, as well as demonstrate substantial experience and ability analyzing impacts to environmental areas identified on the environmental checklist (CEQA Guidelines, Appendix G), including, but not limited to potential impacts to environmental topics such as energy, geology and soils; hazards and hazardous materials; hydrology and water quality; noise; solid and hazardous waste; transportation and traffic, et cetera.

The SCAQMD shall retain full independent review and approval over any work prepared by the Consultant. All rights, title, and interest in the work product developed by the Contractor, shall remain with the SCAQMD. Work product shall include without limitation, all software, source code, documentation, reports, inventions, innovations, improvements, or other works of authorship, and all derivative works thereof that Contractor may conceive of or develop in the course of performing services for SCAQMD under this contract. Contractor also agrees that any and all work product shall be deemed to be works-made-for-hire within the meaning of the copyright laws of the United States, and that SCAQMD shall own all rights, including, but not limited to, all copyright rights, in and to such work product.

Total funding for this RFP will be a maximum of \$100,000. The contract would be valid for a period of two years with an option to renew the contract as necessary. The intent of this RFP is to contract with one or more knowledgeable and experienced CEQA Consultant(s) for assistance preparing the CEQA documents for SCAQMD rules, regulations, and permit application projects where the SCAQMD is the lead agency under CEQA or other CEQA-related tasks.

The actual contract amount for the Consultant(s) selected will be based on the cost proposal included as part of the Consultants' proposals and demonstrated experience preparing CEQA documents and knowledge of the specific desirable qualifications identified in this RFP, but will not exceed \$100,000. Once Consultants are selected, the actual contract amount for each qualified Consultant will be based on the cost proposal included as part of the Consultant's proposal. Consultants will be reimbursed on a Time and Materials (T&M) basis for work performed against the contract or specified tasks on an individual task order basis.

**INDEX - The following are contained in this RFP:**

Section I	Background/Information
Section II	Contact Person
Section III	Schedule of Events
Section IV	Participation in the Procurement Process
Section V	Statement of Work/Schedule of Deliverables
Section VI	Required Qualifications
Section VII	Proposal Submittal Requirements
Section VIII	Proposal Submission
Section IX	Proposal Evaluation/Contractor Selection Criteria
Section X	Funding
Section XI	Sample Contract

Attachment A - Participation in the Procurement Process

Attachment B - Certifications and Representations

**SECTION I: BACKGROUND/INFORMATION**

The goal of the SCAQMD with regard to preparing this RFP is to secure Consultant services to augment and/or assist SCAQMD CEQA staff with preparing CEQA documents for rules and regulations and permit application projects where the SCAQMD is the lead agency under CEQA to ensure they are completed in accordance with procedural and substantive requirements of CEQA and according to schedules established by SCAQMD staff. For some projects the Consultant may be requested to provide individuals to work onsite at the SCAQMD headquarters and under supervision of SCAQMD staff on an as-needed basis to expedite completion of specific sections of the CEQA documents and perform other tasks as necessary including preparing all or portions of CEQA documents for SCAQMD rule, regulations and permit application projects where the SCAQMD is the lead agency under CEQA or other CEQA-related tasks such as attending public meetings, as needed.

The SCAQMD would select one or more Consultants under this RFP to assist staff with preparing CEQA documents and other tasks identified above as necessary. Each contract with a qualified Consultant would last for a period of two years with an option to extend as necessary. Once selected, the actual contract amount for each qualified Consultant will be based on the cost proposal included as part of the Consultant's proposal. Consultants will be reimbursed on a Time and Materials (T&M) basis for work performed against the contract or specified tasks in an Individual Task Order.

**SECTION II: CONTACT PERSON:**

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

Barbara Radlein  
 Program Supervisor – CEQA Section  
 Planning, Rule Development and Area Sources  
 South Coast Air Quality Management District  
 21865 Copley Drive  
 Diamond Bar, CA 91765  
 909.396.2716 v  
 909.396.3324 f  
[bradlein@aqmd.gov](mailto:bradlein@aqmd.gov)

**SECTION III: SCHEDULE OF EVENTS**

<b>Date</b>	<b>Event</b>
April 1, 2016	Board Approval and Release of RFP
<b>May 4, 2016</b>	<b>Proposals Due – No Later than 5:00 p.m.</b>
May 5 – May 13, 2016	Proposal Evaluations
June 3, 2016	Governing Board Approval
June 17, 2016	Anticipated Contract Execution

No Bidders' Conference will be held in connection with this RFP. Dates are subject to change for Governing Board Approval, if interviews need to be conducted. At this time, however, it is not anticipated that interviews will be conducted.

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

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

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

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

Consultant assistance may include, but is not limited to the following: attending public meetings; preparing all or portions of draft CEQA documents for SCAQMD rules and regulations and permit application for which the SCAQMD is the lead agency; responding to comments received on the draft CEQA documents; preparing or assisting with the preparation of mitigation monitoring plans; assisting with finalizing CEQA documents; and other CEQA-related tasks as necessary.

Specifically, the Consultant should be familiar with the following:

1. CEQA-related statutes in the Public Resources Code (§21000, et seq.), especially amendments to the Public Resources Code that have occurred within the last three years
2. The CEQA-related implementing guidelines (California Code of Regulations, §15000, et seq.), especially guidelines specific to the SCAQMD's certified regulatory program (§15250 to §15253)
3. Leading CEQA case-law
4. SCAQMD Rules and Regulations
5. SCAQMD significance thresholds and customized environmental checklist
6. Air quality analysis guidance in the SCAQMD's CEQA webpages at <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>
7. The SCAQMD's 2012 and upcoming 2016 Air Quality Management Plan
8. California and federal air quality laws
9. Air quality dispersion models such as AERMOD, AERSCREEN, CALINE 4, HARP, etc.
10. Health risk assessment methodologies and procedures at <http://www.aqmd.gov/home/regulations/compliance/toxic-hot-spots-ab-2588/health-risk-assessment> and <http://www.aqmd.gov/home/permits/risk-assessment>

11. California Air Resources Board (CARB) EMFAC2014 and off-road source categories
12. Localized significance thresholds (LSTs) and methodology; and
13. Greenhouse gas analysis methodologies, the California Emission Estimator Model (CalEEMod<sup>®</sup>), and CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures* (August, 2010) at <http://www.capcoa.org/wp-content/uploads/downloads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

B. Schedule of Deliverables **(TO BE DETERMINED BY INDIVIDUAL TASK ORDER)**

**SECTION VI: REQUIRED QUALIFICATIONS**

- A. Persons or firms proposing to bid on this RFP must be qualified, experienced, and competent in providing a range of environmental analysis services within established time frames and budgets. Proposals submitted to the SCAQMD must include a statement of the Contractor's general qualifications demonstrating the Contractor's ability to fulfill requirements of this RFP. The Consultant's proposal should demonstrate the following:
1. Sufficient experience and exemplary past performance in preparing CEQA documents for a range of projects such as regulatory actions, ongoing plans, land use projects, construction projects, etc. To illustrate the Consultant's experience, the proposal must include sample CEQA documents prepared by the Consultant within the last two years demonstrating expertise in preparing environmental impact analyses for various environmental topics such as air quality and greenhouse gases, hydrology and water quality, hazards and hazardous materials, noise, solid and hazardous waste for the project and alternatives, and mitigation monitoring plans, etc. The Consultant must be the primary Consultant preparing the Sample CEQA document. Primary Consultant means the Consultant was responsible for preparing 80 percent or more of the Sample CEQA document. Please provide sample CEQA documents on CD-ROMs. The Sample CEQA documents must be for projects with significant adverse impacts such as Environmental Impact Reports (EIR) or various types of EIRs or equivalent documents, e.g., subsequent, program, master, etc. Sample CEQA documents must include all of the substantive requirements in CEQA Guidelines §§15120 – 15132. Submitting addenda, negative declarations, mitigated negative declarations, or EIRs that do not include all of the substantive requirements in CEQA Guidelines §§15120 – 15132 is grounds for disqualification.
  2. The Consultant's background in evaluating air pollution control technologies for stationary sources and potential secondary or indirect environmental impacts that may result from this type of equipment, particularly secondary criteria pollutant and greenhouse gas emissions, and impacts from other environmental topic areas including but not limited to hazards and hazardous materials, hydrology and water quality, and solid and hazardous waste. Knowledge of emission reduction technologies for on-road and off-road mobile sources, alternative clean fuel technologies, and potential indirect impacts from such technologies is also desirable.
  3. Sufficient experience and exemplary past performance in preparing CEQA documents for general plans or other area-wide plans such as AQMPs for local jurisdictions is desirable.



4. Expertise in the following areas: excellent writing skills; extensive knowledge of CEQA and CEQA case law; an excellent understanding of recent changes to CEQA and the CEQA Guidelines; extensive experience in conducting environmental impact analyses; preparing mitigation monitoring plans pursuant to Public Resources Code §21081.6; air quality modeling; preparing health risk assessments, and experience with determining consistency with applicable plans.
5. Experience preparing traffic analyses and knowledge of trip or vehicle miles traveled reduction programs.
6. Knowledge of off-road mobile sources, particularly construction equipment, and experience setting up construction scenarios and analyzing associated impacts.
7. Knowledge of, and experience with the SCAQMD's localized significance threshold (LST) policy and methodology.
8. Knowledge of, and experience with air quality dispersion modeling, health risk assessment procedures for air toxics, and other air quality-related models.
9. Knowledge of, and experience with CalEEMod<sup>®</sup> and the most current version of CARB's EMFAC and OFFROAD models.

B. Proposer must submit the following:

1. Resumes or similar statement of qualifications of person or persons who may be designated to manage SCAQMD projects and all other staff, and their job classifications, who may be assigned to work on SCAQMD CEQA projects.
2. List of representative clients.
3. Summary of proposer's general qualifications to meet required qualifications and fulfill statement of work, including additional firm personnel and resources beyond those of the designated Consultant.
4. Short and concise summary of major CEQA documents prepared by the Consultant as primary consultant (has prepared 80 percent or more of the CEQA documents) during the last two years demonstrating knowledge and expertise involving as many as possible of the following issues:
  - a. CEQA requirements contained in both the Public Resources Code and the CEQA Guidelines, especially changes to CEQA and the CEQA Guidelines over the last two to three years;
  - b. Leading CEQA case-law;
  - c. California and Federal Clean Air Acts (including conformity);
  - d. Proficiency using air quality modeling tools, e.g., CalEEMod<sup>®</sup>, CALINE4, HARP, AERMOD, AERSCREEN, etc.
  - e. SCAQMD's AQMPs, Rules and Regulations, especially best available control technology (BACT) or best available retrofit control technology (BARCT) for stationary sources;
  - f. CARB's EMFAC2014 and off-road source categories;

- g. Localized significance thresholds (LSTs) and methodology;
  - h. Air quality and greenhouse gas impacts and mitigation measures; and
  - i. Analyzing environmental topics other than air quality and greenhouse gases as identified on the environmental checklist form (Appendix G of the CEQA Guidelines).
5. Short and concise summary of other relevant experience and training that demonstrates ability to prepare legally defensible CEQA documents involving as many as possible of the issues listed in #4 above. This may include preparing mitigation monitoring plans, identifying and analyzing project alternatives, preparing statements of findings and statements of overriding considerations, responding to comments received on CEQA documents, conducting public meetings, experience working for public agencies, academic experience, publications, professional activities, etc.
  6. A representative CEQA document such as an EIR or equivalent document with significant adverse impacts (no addenda, negative declarations, mitigated negative declarations, or EIRs that do not include all of the substantive requirements in CEQA Guidelines §§15120 – 15132) addressing impacts to a wide range of environmental topics must be submitted with each proposal submitted to the SCAQMD in response to this RFP. In general, the CEQA document should demonstrate knowledge and expertise with the topics listed in #4 above. Only a CEQA document prepared for a project with significant adverse impacts by the consultant which is the primary Consultant (has prepared 80 percent or more of the CEQA document) will be accepted as a sample CEQA document.

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

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

Each proposal must be submitted in three separate volumes:

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

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

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

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

## **VOLUME I - TECHNICAL PROPOSAL**

### **DO NOT INCLUDE ANY COST INFORMATION IN THE TECHNICAL VOLUME**

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

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

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

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

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

1. List all key personnel assigned to the project by level, name and location. Provide a resume or similar statement describing the background, qualifications and experience of the lead person and all persons assigned to the project. Substitution of project manager or lead personnel will not be permitted without prior written approval of SCAQMD.
2. Provide a spreadsheet of the labor hours proposed for each labor category at the task level.
3. Provide a statement indicating whether or not 90% of the work will be performed within the geographical boundaries of SCAQMD.
4. Provide a statement of education and training programs provided to, or required of, the staff identified for participation in the project, particularly with reference to management consulting, governmental practices and procedures, and technical matters.
5. Provide a summary of your Firm's general qualifications to meet required qualifications and fulfill statement of work, including additional Firm personnel and resources beyond those who may be assigned to the project.

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

Conflict of Interest (Section G) - Address possible conflicts of interest with other clients affected by actions performed by the Firm on behalf of SCAQMD. SCAQMD recognizes that prospective Contractors may be performing similar projects for other clients. Include a complete

list of such clients for the past three (3) years with the type of work performed and the total number of years performing such tasks for each client. Although the Proposer will not be automatically disqualified by reason of work performed for such clients, SCAQMD reserves the right to consider the nature and extent of such work in evaluating the proposal.

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

## **VOLUME II - COST PROPOSAL**

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

Cost Proposal – SCAQMD anticipates awarding a Time & Materials contract. Cost information must be provided as listed below:

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

## **VOLUME III - CERTIFICATIONS AND REPRESENTATIONS** (see Attachment B to this RFP)

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

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

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

**Due Date - All proposals are due no later than 5:00 p.m., May 4, 2016, and should be directed to:**

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

**Submittal** - Submit four (4) complete copies of the proposal with sample EIRs on CD-ROMs in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the Proposer and the words "Request for Proposals #P2016-20."

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

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

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

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

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

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

1. R&D Projects Requiring Technical or Scientific Expertise, or Special Projects Requiring Unique Knowledge or Abilities

<u>a. Technical Criteria</u>	<u>Points</u>
Demonstrated CEQA Experience	30
Air Quality Modeling and Other Technical Expertise	15
Technical/Management Approach	10
Organization/Technical Writing	10

Past Performance of the Proposer on Similar Projects or Work Previously Done for SCAQMD, Similar Governmental Agencies, or Other Clients	5
b. <u>Cost</u>	<u>30</u>
<b>Total Possible Points</b>	<b>100</b>
c. <u>Additional Points</u>	
Small Business or Small Business Joint Venture	10
DVBE or DVBE Joint Venture	10
Use of DVBE or Small Business Subcontractors	7
Low-Emission Vehicle Business	5
Local Business (Non-EPA Funded Projects Only)	5
Off-Peak Hours Delivery Business	2
Most Favored Customer	2

**The cumulative points awarded for small business, DVBE, use of small business or DVBE subcontractors, low-emission vehicle business, local business, and off-peak hours delivery business shall not exceed 15 points.**

**Self-Certification for Additional Points**

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

2. To receive additional points in the evaluation process for the categories of Small Business or Small Business Joint Venture, DVBE or DVBE Joint Venture or Local Business (for non-federally funded projects), the proposer must submit a self-certification or certification from the State of California Office of Small Business Certification and Resources at the time of proposal submission certifying that the proposer meets the requirements set forth in Section III. To receive points for the use of DVBE and/or Small Business subcontractors, at least 25 percent of the total contract value must be subcontracted to DVBEs and/or Small Businesses. To receive points as a Low-Emission Vehicle Business, the proposer must demonstrate to the Executive Officer, or designee, that supplies and materials delivered to SCAQMD are delivered in vehicles that operate on either clean-fuels or if powered by diesel fuel, that the vehicles have particulate traps installed. To receive points as an Off-Peak Hours Delivery Business, the proposer must submit, at proposal submission, certification of its commitment to delivering supplies and materials to SCAQMD between the hours of 10:00 a.m. and 3:00 p.m. To receive points for Most Favored Customer status, the proposer must submit, at proposal submission, certification of its commitment to provide most favored customer status to the SCAQMD. The cumulative points awarded for

small business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Low-Emission Vehicle Business and Off-Peak Hour Delivery Business shall not exceed 15 points.

The Procurement Section will be responsible for monitoring compliance of suppliers awarded purchase orders based upon use of low-emission vehicles or off-peak traffic hour delivery commitments through the use of vendor logs which will identify the contractor awarded the incentive. The purchase order shall incorporate terms which obligate the supplier to deliver materials in low-emission vehicles or deliver during off-peak traffic hours. The Receiving department will monitor those qualified supplier deliveries to ensure compliance to the purchase order requirements. Suppliers in non-compliance will be subject to a two percent of total purchase order value penalty. The Procurement Manager will adjudicate any disputes regarding either low-emission vehicle or off-peak hour deliveries.

3. For procurement of Research and Development (R & D) projects or projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, technical factors including past experience shall be weighted at 70 points and cost shall be weighted at 30 points. A proposal must receive at least 56 out of 70 points on R & D projects and projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, in order to be deemed qualified for award.
  4. The lowest cost proposal will be awarded the maximum cost points available and all other cost proposals will receive points on a prorated basis. For example if the lowest cost proposal is \$1,000 and the maximum points available are 30 points, this proposal would receive the full 30 points. If the next lowest cost proposal is \$1,100 it would receive 27 points reflecting the fact that it is 10% higher than the lowest cost (90% of 30 points = 27 points).
- C. During the selection process the evaluation panel may wish to interview some proposers for clarification purposes only. No new material will be permitted at this time. Additional information provided during the bid review process is limited to clarification by the Proposer of information presented in his/her proposal, upon request by SCAQMD.
- D. The Executive Officer or Governing Board may award the contract to a Proposer other than the Proposer receiving the highest rating in the event the Governing Board determines that another Proposer from among those technically qualified would provide the best value to SCAQMD considering cost and technical factors. The determination shall be based solely on the Evaluation Criteria contained in the Request for Proposal (RFP), on evidence provided in the proposal and on any other evidence provided during the bid review process.
- E. Selection will be made based on the above-described criteria and rating factors. The selection will be made by and is subject to Executive Officer or Governing Board approval. Proposers may be notified of the results by letter.
- F. The Governing Board has approved a Bid Protest Procedure which provides a process for a Bidder or prospective Bidder to submit a written protest to SCAQMD Procurement Manager in recognition of two types of protests: Protest Regarding Solicitation and

Protest Regarding Award of a Contract. Copies of the Bid Protest Policy can be secured through a request to SCAQMD Procurement Department.

- G. The Executive Officer or Governing Board may award contracts to more than one proposer if in (his or their) sole judgment the purposes of the (contract or award) would best be served by selecting multiple proposers.
- H. If additional funds become available, the Executive Officer or Governing Board may increase the amount awarded. The Executive Officer or Governing Board may also select additional proposers for a grant or contract if additional funds become available.
- I. Disposition of Proposals – Pursuant to SCAQMD’s Procurement Policy and Procedure, SCAQMD reserves the right to reject any or all proposals. All proposals become the property of SCAQMD, and are subject to the California Public Records Act. One copy of the proposal shall be retained for SCAQMD files. Additional copies and materials will be returned only if requested and at the proposer’s expense.

## **SECTION X: FUNDING**

The total funding for the work contemplated by this RFP will be a maximum \$100,000. The actual amount of funding allocated for individual consultant contracts will depend upon each consultant’s qualifications and SCAQMD needs with an option to renew the contract for a second two-year period if necessary. Work will be defined on an individual task order basis. Due to the indefinite nature of the work, the actual contract amount cannot be determined at this time, but will be based on demonstrated knowledge of CEQA, demonstrated experience preparing CEQA documents, special areas of expertise, etc.

## **SECTION XI: SAMPLE CONTRACT**

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



# ATTACHMENT A

## PARTICIPATION IN THE PROCUREMENT PROCESS

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

B. Definitions:

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

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

## **ATTACHMENT A**

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

- c. is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.
4. "Local business" as used in this policy means a company that has an ongoing business within geographical boundaries of SCAQMD at the time of bid or proposal submittal and performs 90% of the work related to the contract within the geographical boundaries of SCAQMD and satisfies the requirements of subparagraph H below.
5. "Small business" as used in this policy means a business that meets the following criteria:
  - a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
    - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
    - A manufacturer with 100 or fewer employees.
  - b. Manufacturer means a business that is both of the following:
    - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
    - 2) Classified between Codes 311000 and 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.
6. "Joint ventures" as defined in this policy pertaining to certification means that one party to the joint venture is a DVBE or small business and owns at least 51 percent of the joint venture.
7. "Low-Emission Vehicle Business" as used in this policy means a company or contractor that uses low-emission vehicles in conducting deliveries to SCAQMD. Low-emission vehicles include vehicles powered by electric, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol, hydrogen and diesel retrofitted with particulate matter (PM) traps.
8. "Off-Peak Hours Delivery Business" as used in this policy means a company or contractor that commits to conducting deliveries to SCAQMD during off-peak traffic hours defined as between 10:00 a.m. and 3:00 p.m.

## ATTACHMENT A

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

9. "Benefits Incentive Business" as used in this policy means a company or contractor that provides janitorial, security guard or landscaping services to SCAQMD and commits to providing employee health benefits (as defined below in Section VIII.D.2.d) for full time workers with affordable deductible and co-payment terms.
  10. "Minority Business Enterprise" as used in this policy means a business that is at least 51 percent owned by one or more minority person(s), or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more or minority persons.
    - a. a business whose management and daily business operations are controlled by one or more minority persons.
    - b. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.
    - c. "Minority person" for purposes of this policy, means a Black American, Hispanic American, Native-American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian (including a person whose origins are from India, Pakistan, and Bangladesh), Asian-Pacific-American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, and Taiwan).
  11. "Most Favored Customer" as used in this policy means that the SCAQMD will receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services.
  12. "Disadvantaged Business Enterprise" as used in this policy means a business that is an entity owned and/or controlled by a socially and economically disadvantaged individual(s) as described by Title X of the Clean Air Act Amendments of 1990 (42 U.S.C. 7601 note) (10% statute), and Public Law 102-389 (42 U.S.C. 4370d)(8% statute), respectively;
    - a Small Business Enterprise (SBE);
    - a Small Business in a Rural Area (SBRA);
    - a Labor Surplus Area Firm (LSAF); or
    - a Historically Underutilized Business (HUB) Zone Small Business Concern, or a concern under a successor program.
- C. Under Request for Quotations (RFQ), DVBEs, DVBE business joint ventures, small businesses, and small business joint ventures shall be granted a preference in an amount equal to 5% of the lowest cost responsive bid. Low-Emission Vehicle Businesses shall be granted a preference in an amount equal to 5 percent of the lowest cost responsive bid. Off-Peak Hours Delivery Businesses shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid. Local businesses (if the procurement is not

## **ATTACHMENT A**

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

funded in whole or in part by federal grant funds) shall be granted a preference in an amount equal to 2% of the lowest cost responsive bid. Businesses offering Most Favored Customer status shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid.

- D. Under Request for Proposals, DVBEs, DVBE joint ventures, small businesses, and small business joint ventures shall be awarded ten (10) points in the evaluation process. A non-DVBE or large business shall receive seven (7) points for subcontracting at least twenty-five (25%) of the total contract value to a DVBE and/or small business. Low-Emission Vehicle Businesses shall be awarded five (5) points in the evaluation process. On procurements which are not funded in whole or in part by federal grant funds local businesses shall receive five (5) points. Off-Peak Hours Delivery Businesses shall be awarded two (2) points in the evaluation process. Businesses offering Most Favored Customer status shall be awarded two (2) points in the evaluation process.
- E. SCAQMD will ensure that discrimination in the award and performance of contracts does not occur on the basis of race, color, sex, national origin, marital status, sexual preference, creed, ancestry, medical condition, or retaliation for having filed a discrimination complaint in the performance of SCAQMD contractual obligations.
- F. SCAQMD requires Contractor to be in compliance with all state and federal laws and regulations with respect to its employees throughout the term of any awarded contract, including state minimum wage laws and OSHA requirements.
- G. When contracts are funded in whole or in part by federal funds, and if subcontracts are to be let, the Contractor must comply with the following, evidencing a good faith effort to solicit disadvantaged businesses. Contractor shall submit a certification signed by an authorized official affirming its status as a MBE or WBE, as applicable, at the time of contract execution. SCAQMD reserves the right to request documentation demonstrating compliance with the following good faith efforts prior to contract execution.
  - 1. Ensure Disadvantaged Business Enterprises (DBEs) are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
  - 2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
  - 3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and Local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.

## **ATTACHMENT A**

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

4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
  5. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
  6. If the prime contractor awards subcontracts, require the prime contractor to take the above steps.
- H. To the extent that any conflict exists between this policy and any requirements imposed by federal and state law relating to participation in a contract by a certified MBE/WBE/DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.
- I. When contracts are not funded in whole or in part by federal grant funds, a local business preference will be awarded. For such contracts that involve the purchase of commercial off-the-shelf products, local business preference will be given to suppliers or distributors of commercial off-the-shelf products who maintain an ongoing business within the geographical boundaries of SCAQMD. However, if the subject matter of the RFP or RFQ calls for the fabrication or manufacture of custom products, only companies performing 90% of the manufacturing or fabrication effort within the geographical boundaries of SCAQMD shall be entitled to the local business preference.
- J. In compliance with federal fair share requirements set forth in 40 CFR Part 33, SCAQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.

## ATTACHMENT B

### CERTIFICATIONS AND REPRESENTATIONS



# South Coast Air Quality Management District

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

### Business Information Request

Dear SCAQMD Contractor/Supplier:

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

Michael B. O'Kelly  
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 9/15



# 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), minoritybusiness 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 SCAQMD,(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 SCAQMD 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 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 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 SCAQMD 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.**

Print or type See Specific Instructions on page 2.	<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> <hr/> <p><b>2</b> Business name/disregarded entity name, if different from above</p> <hr/> <p><b>3</b> Check appropriate box for federal tax classification; check only <b>one</b> of the following seven boxes:  <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  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____  <b>Note.</b> For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.  <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):                  Exempt payee code (if any) _____                  Exemption from FATCA reporting code (if any) _____  <i>(Applies to accounts maintained outside the U.S.)</i></p>
	<p><b>5</b> Address (number, street, and apt. or suite no.) _____</p> <p style="text-align: right;">Requester's name and address (optional)</p>
	<p><b>6</b> City, state, and ZIP code _____</p>
	<p><b>7</b> List account number(s) here (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 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.

<b>Social security number</b>																					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> </tr> </table>											<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> </tr> </table>										

**Note.** If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

OR

<b>Employer identification number</b>																					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> </tr> </table>											<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> <td style="width: 10%; border: 1px solid black; height: 20px;"></td> </tr> </table>										

### Part II Certification

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

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

<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.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

#### 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? on page 2.*
- By signing the filled-out form, you:
- 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. 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
  - 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?* on page 2 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 Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

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

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

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

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

If you are a nonresident alien or a foreign entity, 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 28% 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 Part II instructions on page 3 for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code* on page 3 and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships* above.

## 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* on page 3 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, list first, and then circle, the name of the person or entity whose number you entered in Part I of 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 in line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box in line 3.

**Limited Liability Company (LLC).** If the name on line 1 is an LLC treated as a partnership for U.S. federal tax purposes, check the "Limited Liability Company" box and enter "P" in the space provided. If the LLC has filed Form 8832 or 2553 to be taxed as a corporation, check the "Limited Liability Company" box and in the space provided enter "C" for C corporation or "S" for S corporation. If it is a single-member LLC that is a disregarded entity, do not check the "Limited Liability Company" box; instead check the first box in line 3 "Individual/sole proprietor or single-member LLC."

**Line 4, Exemptions**

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space in 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.

**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. However, the IRS prefers that you use your SSN.

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

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

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

If you are asked to complete Form W-9 but do not have a TIN, 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 items 1, 4, or 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on 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), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

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

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

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

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

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

<sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 2.

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

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

**Secure Your Tax Records from Identity Theft**

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

To reduce your risk:

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

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

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

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

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

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

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

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](mailto:phishing@irs.gov). You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (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 contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDTHEFT (1-877-438-4338).

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

**Privacy Act Notice**

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. 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.

# 2015 Withholding Exemption Certificate

# 590

The payee completes this form and submits it to the withholding agent.

### Withholding Agent (Type or print)

Name \_\_\_\_\_

### Payee

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 reason box below that applies to the payee.

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

- Individuals — Certification of Residency:**  
I am a resident of California and I reside at the address shown above. If I become a nonresident at any time, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.
- Corporations:**  
The corporation has a permanent place of business in California at the address shown above or is qualified through the California Secretary of State (SOS) to do business in California. The corporation will file a California tax return. If this corporation ceases to have a permanent place of business in California or ceases to do any of the above, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.
- Partnerships or Limited Liability Companies (LLCs):**  
The partnership or LLC has a permanent place of business in California at the address shown above or is registered with the California SOS, and is subject to the laws of California. The partnership or LLC will file a California tax return. If the partnership or LLC ceases to do any of the above, I will promptly inform the withholding agent. For withholding purposes, a limited liability partnership (LLP) is treated like any other partnership.
- Tax-Exempt Entities:**  
The entity is exempt from tax under California Revenue and Taxation Code (R&TC) Section 23701 \_\_\_\_\_ (insert letter) or Internal Revenue Code Section 501(c) \_\_\_\_\_ (insert number). If this entity ceases to be exempt from tax, I will promptly notify the withholding agent. Individuals cannot be tax-exempt entities.
- Insurance Companies, Individual Retirement Arrangements (IRAs), or Qualified Pension/Profit Sharing Plans:**  
The entity is an insurance company, IRA, or a federally qualified pension or profit-sharing plan.
- California Trusts:**  
At least one trustee and one noncontingent beneficiary of the above-named trust is a California resident. The trust will file a California fiduciary tax return. If the trustee or noncontingent beneficiary becomes a nonresident at any time, I will promptly notify the withholding agent.
- Estates — Certification of Residency of Deceased Person:**  
I am the executor of the above-named person's estate or trust. The decedent was a California resident at the time of death. The estate will file a California fiduciary tax return.
- Nonmilitary Spouse of a Military Servicemember:**  
I am a nonmilitary spouse of a military servicemember and I meet the Military Spouse Residency Relief Act (MSRRA) requirements. See instructions for General Information E, MSRRA.

**CERTIFICATE OF PAYEE:** Payee must complete and sign below.

Under penalties of perjury, I hereby certify that the information provided in this document is, to the best of my knowledge, true and correct. If conditions change, I will promptly notify the withholding agent.

Payee's name and title (type or print) \_\_\_\_\_ Telephone (\_\_\_\_) \_\_\_\_\_

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

# 2015 Instructions for Form 590

## Withholding Exemption Certificate

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

### General Information

**Registered Domestic Partners (RDP)** – For purposes of California income tax, references to a spouse, husband, or wife also refer to a Registered Domestic Partner (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 information on California backup withholding, go to [ftb.ca.gov](http://ftb.ca.gov) and search for **backup withholding**.

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

**Do not use Form 590 to certify an exemption from withholding if you are a Seller of California real estate.** Sellers of California real estate use Form 593-C, Real Estate Withholding Certificate, to claim an exemption from real estate withholding.

**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

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.

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 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 certificate on the preprinted form, the withholding agent may accept as a substitute certificate a letter from the payee explaining why the payee is 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. The withholding agent must retain a copy of the certificate or substitute for at least four years after the last payment to which the certificate applies, and provide it upon request to the FTB.

For example, 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 non-wage 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, get 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 if it is a foreign corporation qualified to transact intrastate business by the CA SOS. 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 taxpayer identification number (TIN) and check the appropriate TIN box.

You must provide an acceptable 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** – Enter the information in the following order: City, Country, Province/Region, and Postal Code. Follow the country's practice for entering the postal code. **Do not** abbreviate the country's name.

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

### Withholding Agent Instructions

Keep Form 590 for your records. **Do not** send this form to the FTB unless it has been specifically requested.

For more information, contact Withholding Services and Compliance, see Additional Information.

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, and Form 592-V, Payment Voucher for Resident and Nonresident Withholding.

## Additional Information

For additional information or to speak to a representative regarding this form, call the Withholding Services and Compliance telephone service at:

Telephone: **888.792.4900**  
916.845.4900  
Fax: 916.845.9512

OR write to:

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

You can download, view, and print California tax forms and publications at [ftb.ca.gov](http://ftb.ca.gov).

OR to get forms by mail write to:

TAX FORMS REQUEST UNIT  
FRANCHISE TAX BOARD  
PO BOX 307  
RANCHO CORDOVA CA 95741-0307

For all other questions unrelated to withholding or to access the TTY/TDD numbers, see the information below.

### Internet and Telephone Assistance

Website: [ftb.ca.gov](http://ftb.ca.gov)  
Telephone: 800.852.5711 from within the United States  
916.845.6500 from outside the United States

TTY/TDD: 800.822.6268 for persons with hearing or speech impairments

### Asistencia Por Internet y Teléfono

Sitio web: [ftb.ca.gov](http://ftb.ca.gov)  
Teléfono: 800.852.5711 dentro de los Estados Unidos  
916.845.6500 fuera de los Estados Unidos

TTY/TDD: 800.822.6268 para personas con discapacidades auditivas o del habla



## CAMPAIGN CONTRIBUTIONS DISCLOSURE

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

California law prohibits a party, or an agent, from making campaign contributions to SCAQMD Governing Board Members or members/alternates of the Mobile Source Air Pollution Reduction Review Committee (MSRC) of more than \$250 while their contract or permit is pending before SCAQMD; 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, SCAQMD Board Members or members/alternates of the MSRC must abstain from voting on a contract or permit if they have received a campaign contribution from a party or participant to the proceeding, or agent, totaling more than \$250 in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov't Code §84308(c).

The list of current SCAQMD Governing Board Members can be found at SCAQMD 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).*

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

### **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 (SCAQMD) 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 SCAQMD 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 SCAQMD for distribution. This will delay my payment.
- This authorization remains in effect until SCAQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless SCAQMD 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 SCAQMD Use Only

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

Date \_\_\_\_\_

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 6

**PROPOSAL:** Issue RFP to Solicit Proposals and Execute Contract for Media, Advertising and Public Outreach Campaign; and Execute Contract for Targeted YouTube Videos and Banner Ads, both for 2016/17 Check Before You Burn Program

**SYNOPSIS:** This action is to issue an RFP not to exceed \$250,000 to solicit proposals from advertising agencies, media/public relations firms or other organizations with the necessary expertise to plan and execute a comprehensive media, advertising and public outreach campaign to promote awareness of and compliance with SCAQMD's 2016/17 Check Before You Burn program. In addition, this action will also authorize the Executive Officer to execute a contract with Google for \$250,000 for a targeted outreach program utilizing YouTube videos and banner ads to help promote the Check Before You Burn program. Both contracts will be executed from the Rule 1309.1 Priority Reserve Fund (36).

**COMMITTEE:** Administrative, March 11, 2016; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Authorize the issuance of RFP #2016-17 to solicit proposals for a Media, Advertising and Public Outreach Campaign for the 2016/17 Check Before You Burn program in an amount not to exceed \$250,000; and
2. Authorize the Executive Officer to execute a contract with Google, Inc. for targeted outreach for the Check Before You Burn program's 2016/17 season in an amount not to exceed \$250,000 from the Rule 1309.1 Priority Reserve Fund (36).

Michael B. O'Kelly  
Acting Executive Officer

SA:TC

---

**Background**

SCAQMD's Check Before You Burn program and its regulatory framework, Rule 445 – Wood-Burning Devices, are key measures in the agency's Air Quality Management Plan to achieve the federal health-based air quality standard for PM2.5. Check Before You Burn and Rule 445 seek to reduce PM2.5 emissions from wood burning in residential fireplaces from November 1 through the end of February on days when unhealthy air quality is forecast.

Since 2013, SCAQMD has contracted with a public relations firm for \$493,000 per year to plan and execute a comprehensive outreach campaign to:

- Increase awareness of and support for SCAQMD's Check Before You Burn program;
- Promote awareness of and compliance with no-burn days; and
- Promote signups to AirAlerts.org.

The campaigns have achieved tens of millions of impressions not only through paid advertisements but also in news coverage, thus significantly boosting awareness of the program.

### **Proposal**

For the 2016/17 Check Before You Burn season, SCAQMD needs to build on the outreach momentum gained over the past three years. Staff recommends a coordinated two-prong approach including: 1) contracting with a public relations/media/advertising firm to design and implement an outreach campaign focusing on earned media, community outreach, and radio, outdoor and social media advertising; and 2) contracting with Google for YouTube and banner ads. This combination of traditional and digital media will help ensure broad exposure for the outreach program.

Following are details of this coordinated, two-prong approach.

### Solicit Proposals for a Media, Advertising and Public Outreach Campaign

Staff recommends that SCAQMD seek proposals from advertising agencies, media/public relations firms or other organizations with the necessary expertise to plan and execute a comprehensive media, advertising and public outreach campaign to promote awareness of and compliance with the Check Before You Burn program.

The RFP's statement of work would include the following tasks:

1. Develop an overall campaign plan, including a means for quantifying the success of the campaign;
2. Develop all creative content;
3. Negotiate and execute all media buys on behalf of SCAQMD;
4. Seek value-added components to the media buys;
5. Conduct research to quantify the effectiveness of the campaign; and
6. Produce a final report.

The entire period of performance for the contractor is expected to be approximately six to nine months. Following execution of a contract, approximately two to three months will be spent planning and preparing for the campaign. Campaign ads will run from Nov. 1, 2016 to Feb. 28, 2017. The contractor will submit a final report following the end of the campaign.

Proposals will be reviewed and evaluated by a diverse, technically qualified panel in accordance with criteria contained in the attached RFP and the recommended contractor will be brought to the Administrative Committee and Board for approval. The total budget is up to \$250,000, which encompasses all costs including labor costs for the contractor and any subcontractors, creative and production costs, media buys, and any other direct costs. The contractor will not receive commissions from any media outlets as part of this campaign.

### Google Targeted Outreach

Staff initiated a pilot program with Google last fall for targeted outreach utilizing a 45-second “pre-roll” video. Such outreach is highly targeted by Google using search words, ZIP codes and other demographics. Similar techniques can be utilized for digital display ads. Results of the pilot program showed this approach to be highly successful and in December 2015 the Board expanded the outreach program with Google for a one-year period from January 1, 2016 to December 31, 2016. Multiple SCAQMD topics and programs are to be covered, such as PM attainment, the lawn mower exchange, low-emission vehicle grant programs, and air quality during wildfires.

As of late February, the current Google campaign had achieved:

- More than 240 million impressions;
- More than 2.5 million interactions, meaning clicks on ads or videos watched;
- An average cost per interaction of approximately \$0.12; and
- Nearly 17 percent of viewers watched the entire pre-roll videos.

While the current Google campaign will target various SCAQMD programs and initiatives, a dedicated Google program is needed to promote the 2016/17 Check Before You Burn program. Staff recommends that the Board approve a contract with Google, Inc., to implement a four-month (Nov. 2016 through Feb. 2017) targeted outreach program utilizing YouTube videos and digital display ads to enhance the Media, Advertising and Public Outreach campaign.

### **Sole Source Justification**

Section VIII.B.2 of the Procurement Policy and Procedure identifies four major provisions under which a sole source award may be justified. This request for sole source award is made under provision B.2.c.: The desired services are available from only the sole-source. Specifically, B.2.c.(1): The unique experience and capabilities of the proposed contractor or contractor team.

Consumers are increasingly turning to digital media for their news and information. In turn companies are making increasing use of digital advertising to promote their brand and services. Google is a leader in assisting companies with online advertising and its ownership of YouTube positions the company as a leader in online video messaging. For these reasons Google remains uniquely qualified to assist SCAQMD with outreach for

the Check Before You Burn program, utilizing online digital advertising using video pre-roll ads and website image ads. In addition, a Google digital strategist who is up-to-date on the latest digital advertising trends will assist SCAQMD to craft a strategy to reach its target audience; set goals to measure progress; launch the online advertising campaign and provide hands-on personalized support throughout the process.

**Outreach**

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

Additionally, potential bidders may be notified utilizing SCAQMD’s own electronic listing of certified minority vendors. Notice of the RFP 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 SCAQMD’s website (<http://www.aqmd.gov>) where it can be viewed by making the selection “Grants & Bids.”

**Proposed Budget**

The overall budget for the two-prong approach for outreach for the 2016/17 Check Before You Burn program is \$500,000, with up to \$250,000 to be allocated for the firm approved by the Board through the RFP process, and \$250,000 for a sole-source contract with Google, Inc.

**Resource Impacts**

Sufficient funds are available in the Rule 1309.1 Priority Reserve Fund (36) for these two outreach programs.

**Attachment**

RFP #2016-17





## **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

### **REQUEST FOR PROPOSALS**

#### **MEDIA, ADVERTISING AND PUBLIC OUTREACH CAMPAIGN FOR CHECK BEFORE YOU BURN PROGRAM**

**#P2016-17**

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

#### **PURPOSE**

The purpose of the RFP is to solicit proposals from advertising agencies, media/public relations firms or other organizations with the necessary expertise to plan and execute a comprehensive media, advertising and public outreach initiative to promote awareness of and compliance with the SCAQMD's Check Before You Burn program for the 2016/17 winter season.

#### **INDEX - The following are contained in this RFP:**

Section I	Background/Information
Section II	Contact Person
Section III	Schedule of Events
Section IV	Participation in the Procurement Process
Section V	Statement of Work/Schedule of Deliverables
Section VI	Required Qualifications
Section VII	Proposal Submittal Requirements
Section VIII	Proposal Submission
Section IX	Proposal Evaluation/Contractor Selection Criteria
Section X	Funding
Section XI	Sample Contract

Attachment A - Participation in the Procurement Process

Attachment B - Certifications and Representations

## **SECTION I: BACKGROUND/INFORMATION**

The purpose of this RFP is to solicit proposals from advertising agencies, media/public relations firms or other organizations with the necessary expertise to plan and execute a comprehensive media, advertising and public outreach campaign to promote awareness of and compliance with SCAQMD's Check Before You Burn program from November 1, 2016 through February 28, 2017.

### Agency Background

The SCAQMD was created by the California Legislature in 1977 to combine individual county air pollution agencies in Southern California into one regional agency, with jurisdiction over all of Orange County and major portions of Los Angeles, San Bernardino and Riverside counties. The agency is governed by a 13-member Governing Board consisting of county supervisors, city council members and state appointees.

SCAQMD is responsible for regulating air emissions primarily from stationary sources of air pollution, such as factories, oil refineries, chemical plants, gasoline stations and dry cleaners. SCAQMD regulates more than 28,000 such businesses operating in the Southland.

State law also requires the SCAQMD to periodically develop an Air Quality Management Plan (AQMP) that outlines how the South Coast region will achieve state and federal ambient air quality standards, or at a minimum demonstrate that all feasible measures are being implemented to meet state air quality standards.

Fine particulate (PM<sub>2.5</sub>) is a serious public health threat associated with a wide range of adverse health effects, including increased emergency room visits and hospitalizations, as well as increased risk of heart attacks and premature deaths. Southern California has some of the worst PM<sub>2.5</sub> air pollution in the nation and although smoke from wood-burning devices is not the largest PM<sub>2.5</sub> source, it does impact air quality. Specifically, fireplaces and other wood-burning devices in the Southland have been estimated to emit an average of approximately five tons of PM<sub>2.5</sub> per day in the South Coast Air Basin. From November through February, when wood burning is at its peak, it is estimated to cause approximately 10 tons per day of harmful PM<sub>2.5</sub> emissions.

### Regulatory Background

A key measure in SCAQMD's 2012 Air Quality Management Plan called for making Rule 445 – Wood-Burning Devices more stringent such that, compared to previous years, SCAQMD would declare an increased number of no-burn days. SCAQMD adopted these changes to its Rule 445 in May 2013 and since has seen an increase in the number of no-burn days called during the winter season. For example, during the 2012/13 winter season, five no-burn days were declared, compared to 16 no-burn days in 2013/14 and 25 no-burn days in 2014/15.

### Program Description

SCAQMD's Check Before You Burn program informs residents of days from November 1 through the end of February when PM<sub>2.5</sub> is forecast to reach unhealthy levels. Under SCAQMD's Rule 445, residents are prohibited from burning wood in their fireplaces on those days. Typically the wood burning prohibition applies to the entire South Coast Air Basin.

Past and Current Initiatives

In 2010, SCAQMD began implementing the winter time Check Before You Burn program and partnered with KTLA 5, and in 2011 with KTLA 5 as well as CBS 2, to promote the Check Before You Burn program. Both partnerships included daily air quality forecasts during the morning news weathercasts, as well as additional TV ad spots that aired at various times during the day and online components.

In 2013, SCAQMD's Governing Board approved an enhanced outreach program to increase awareness of the agency's Check Before You Burn program after changes to Rule 445 were approved. The enhanced outreach included paid advertisements on TV, radio, Internet, electronic billboards and social media, as well as community outreach through radio station partnerships. The current outreach contract expires in June 2016.

NOTE: Bidders should not assume that program elements or methods used previously by SCAQMD and its contractors must continue. SCAQMD encourages the development of innovative approaches to enhance and improve prior Check Before You Burn initiatives.

Scope of Work – See Section VGoals

1. Increase awareness of and support for SCAQMD's Check Before You Burn program
2. Promote awareness of and compliance with no-burn days
3. Increase signups to SCAQMD's AirAlerts

Audience

The overall audience includes all residents of the South Coast Air Basin, but specifically the more than 1 million households that actively burn wood in their fireplaces.

Timeframe

The entire period of performance for the Contractor is expected to be approximately six to 12 months. Following anticipated selection of a contractor by SCAQMD's Governing Board in July 2016, approximately two to three months will be spent planning and preparing for the campaign. The campaign will be live from Nov. 1, 2016 through Feb. 28, 2017. The Contractor will complete post-campaign research and a final report during the month following the end of the campaign.

**Since the CONTRACTOR will only have two to three months -- from August to late October -- to plan the entire campaign, bidders should submit a detailed RFP that includes an overall strategy, specific proposed media buys, sample creative material and a plan for campaign research. In addition, the campaign plan must be designed and implemented such that advertising, media and other outreach for the Check Before You Burn program will begin no later than Nov. 1, 2016.**

### Partnerships

SCAQMD is seeking a cost-effective campaign that will achieve the greatest value for its investment. As such, prospective Contractors may want to consider partnerships with a media organization, discounted agency fees, etc. to maximize SCAQMD's dollars.

### Number of awards

One award is anticipated under this RFP.

### Budget and Contractor compensation

The maximum amount available for the campaign, including Contractor labor, any subcontractors, creative and production costs, media buys, direct costs, etc., is \$250,000.

This is a fixed-priced contract. The Contractor will invoice SCAQMD on a monthly basis for labor, media buys and production costs. The Contractor will pay media outlets for advertising. The Contractor will not receive any commissions from the media outlets for ad buys.

### Changes to RFP

SCAQMD may modify the RFP or issue supplementary information or guidelines during the proposal period prior to April 22, 2016.

### Review process

Before implementation, the final plan and all creative material will be reviewed and approved by SCAQMD's Media Relations Manager and Executive Officer.

### Support from SCAQMD

SCAQMD will provide technical and background information to help support the campaign, such as:

- Detailed information on SCAQMD's Check Before You Burn and Healthy Hearths programs.
- Samples of existing SCAQMD collateral on air quality, Air Alerts, Check Before You Burn, etc. Proposers should review SCAQMD's AirAlerts website at [AirAlerts.org](http://AirAlerts.org); its Healthy Hearths website at [www.healthyhearths.org](http://www.healthyhearths.org) and its general website at [www.aqmd.gov](http://www.aqmd.gov).

## **SECTION II: CONTACT PERSON:**

**\*\*All questions regarding the RFP must be e-mailed to Sam Atwood, SCAQMD's Media Relations Manager, at [satwood@aqmd.gov](mailto:satwood@aqmd.gov) no later than 5 p.m. on April 20, 2016. Questions will be answered by e-mail and posted to SCAQMD's RFP webpage at <http://www.aqmd.gov/grants-bids>. General questions about the RFP process and sample contract should be directed to Dean Hughbanks, SCAQMD Procurement Manager, at 909-396-2808.**

**SECTION III: SCHEDULE OF EVENTS**

April 1, 2016	RFP Released
April 12, 2016 at 10:30 a.m.	Bidder's Conference*
April 20, 2016 at 5 p.m.	Deadline for questions
May 4, 2016	Proposals Due- <b>No Later Than 1:00 pm</b>
May 11, 2016	Panel Evaluations
June 10, 2016	SCAQMD Administrative Committee Meeting Review and Interviews
July 8, 2016	Governing Board Approval
August 1, 2016	Anticipated Contract Execution
November 1, 2016	Campaign live

\*Participation in the Bidder's Conference is optional. Such participation would assist in notifying potential bidders of any updates or amendments. The Bidder's Conference will be held in Room CC-6 at the SCAQMD Headquarters in Diamond Bar, California at 10:30 a.m. on Wednesday, April 12, 2016. Please contact Brandee Keith at 909-396-3952 by close of business on Friday, April 8, 2016 if you plan to attend.

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

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

**SECTION V: STATEMENT OF WORK/SCHEDULE OF DELIVERABLES****A. Statement of Work**

1. Using the detailed campaign plan presented in the RFP, and incorporating any feedback from SCAQMD's Governing Board and Media Relations Manager, finalize an overall campaign plan to promote awareness of and compliance with the Check Before You Burn program during the 2016/17 season.
2. Produce all creative material needed for the campaign such as TV spots, outdoor, web page art, etc.
3. Negotiate and execute all media buys on behalf of SCAQMD.
4. Seek value-ads to the media buys, such as additional spots, interviews, etc.
5. Design and execute a research strategy to quantify the effectiveness of the campaign, specifically: increase in awareness of and/or support for the Check Before You Burn program; increase in compliance with no-burn alerts; and increase in subscriptions to AirAlerts.org.
6. Seek positive earned-media coverage of the Check Before You Burn program and No-Burn alerts.
7. Monitor all ad flights and ensure any missed ads are made up.
8. Ensure that media outlets provide to SCAQMD on a regular basis statistics such as listener impressions, web page views, etc.
9. Produce a final report for SCAQMD on the campaign.

## B. Schedule of Deliverables

Month	August 2016	Sept. 2016	Oct. 2016	Nov. 2016	Dec. 2016	Jan. 2017	Feb. 2017	March 2017
Kickoff meeting with SCAQMD Media Office team								
Completion of Task No. 1-2								
SCAQMD review and approval of Task No. 1-2								
Completion of Task No. 3-6								
All elements of campaign LIVE; complete Task No. 7-8								
Completion of Task No. 9								

**SECTION VI: REQUIRED QUALIFICATIONS**

Proposers under this solicitation should have significant demonstrated experience in:

- Executing marketing campaigns for government agencies or non-profits seeking to increase awareness of their agency or organization;
- Successfully promoting behavior change that benefits public health or society at large;
- Quantifying behavior changes resulting from marketing campaigns;
- Developing and implementing advertising campaigns specifically for TV, print, radio, Internet and social media;
- Negotiating the best ad rates and “added value” elements such as additional ad spots, etc.; and
- Monitoring advertising campaigns, including optimizing ad timing/placement if warranted, ensuring that any missed ads are made up.

**SECTION VII: PROPOSAL SUBMITTAL REQUIREMENTS**

Submitted proposals must follow the format outlined below and all requested information must be supplied. Failure to submit proposals in the required format will result in elimination from

proposal evaluation. SCAQMD may modify the RFP or issue supplementary information or guidelines during the proposal preparation period prior to the due date. Please check our website for updates (<http://www.aqmd.gov/grants-bids>). The cost for developing the proposal is the responsibility of the Contractor, and shall not be chargeable to SCAQMD.

Each proposal must be submitted in three separate volumes:

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

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

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

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

## **VOLUME I - TECHNICAL PROPOSAL**

### **DO NOT INCLUDE ANY COST INFORMATION IN THE TECHNICAL VOLUME**

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

Campaign Design (Section B) - This section comprises the body of the technical proposal. The proposer should describe their proposed campaign in detail, addressing all project requirements as specified in RFP sections I and V above. **This section should indicate proposed media buys and total impressions from each media category, i.e. TV, Internet, print, etc.**

Program Schedule (Section C) – Provide a projected time schedule and milestones for all elements of the campaign.

Proposer Qualifications (Section D) - Describe the technical capabilities of the Firm, including other similar campaigns performed during the last five years, particularly those for non-profit or governmental organizations, demonstrating ability to successfully complete the project. .

References (Section E) -- List references of prior clients, preferably those for whom similar campaigns were planned/executed. Include contact name, title, and telephone number for any references listed.

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

1. Describe the proposed management structure and organization of the proposed team.
2. List all key personnel assigned to the project by level and name. Provide a resume or similar statement of the qualifications of the lead person and all persons assigned to the project. Substitution of project manager or lead personnel will not be permitted without prior written approval of SCAQMD.
3. Provide a statement indicating whether or not 90% of the work will be performed within the geographical boundaries of SCAQMD.

Subcontractors (Section G) - This project may require subcontractors. List any subcontractors that will be used and the work to be performed by them.

Conflict of Interest (Section H) - Address possible conflicts of interest with other clients affected by actions performed by the Firm on behalf of SCAQMD. Although the Proposer will not be automatically disqualified by reason of work performed for such clients, SCAQMD reserves the right to consider the nature and extent of such work in evaluating the proposal.

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

## **VOLUME II - COST PROPOSAL**

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

Cost Proposal – SCAQMD anticipates awarding a fixed price contract. Cost information must be provided as listed below:

1. Detail must be provided by the following categories:
  - A. Labor – List the total number of hours and the hourly billing rate for each level of professional staff.
  - B. Media Buy – Provide an estimate of the cost of each media buy. Please note that SCAQMD will not allow the selected contractor to receive a commission from any media outlet.
  - C. Subcontractor Costs - List subcontractor costs and identify subcontractors by name. Itemize subcontractor charges per hour, day or task.
  - D. Production Costs – List the cost for production of all ads.
  - E. Other Direct Costs –Itemize any direct costs that will be incurred by the campaign.
2. It is the policy of the SCAQMD to receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services. SCAQMD will give preference, where appropriate, to vendors who certify that they will provide “most favored customer” status to the SCAQMD. To receive preference points, Proposer shall certify that SCAQMD is receiving “most favored



customer” pricing in the Business Status Certifications page of Volume III, Attachment B – Certifications and Representations.

### **VOLUME III - CERTIFICATIONS AND REPRESENTATIONS** (see Attachment B to this RFP)

Certifications and Representations included in Attachment B to this RFP should be executed by an authorized official of the Proposer.

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

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

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

Due Date – The Proposer shall submit six (6) complete copies of the proposal in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the Proposer and the words "Request for Proposals #P2016-17." **All proposals are due no later than 1:00 p.m., May 4, 2016, and should be directed to:**

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

**Late bids/proposals will not be accepted under any circumstances.** Any correction or resubmission done by the Proposal will not extend the submittal due date.

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

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

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

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

- A. Proposals will be evaluated by a panel of three to five SCAQMD staff members familiar with the subject matter of the project. The panel shall be appointed by the Executive Officer or his designee. In addition, the evaluation panel may include one communications professional from outside SCAQMD. The panel will recommend several finalists to the SCAQMD’s Administrative Committee for final selection of one Contractor.
- B. Each member of the evaluation panel shall be accorded equal weight in his or her rating of proposals. The evaluation panel members shall evaluate the proposals according to the specified criteria and numerical weightings set forth below.

1. Scoring

Campaign Design	50
The review panel will assign a score of up to 50 points to each proposal based on sections A, B and C in the required technical proposal detailed in section VII, Part I.	
Proposer Qualifications	25
The review panel will assign a score of up to 25 points to each proposal based on sections D, E and F in the required technical proposal detailed in Section VII, Part I.	
Value-Added Elements	15
The review panel will assign a score of up to 15 points for value-added features such as a discount on Contractor's standards, rates, media partnerships, etc.	
Cost	10
Ten (10) points will be awarded to the lowest-cost proposal. All other cost proposals will receive points on a prorated basis. For example, if the lowest cost proposal is \$1,000 it will receive the full 10 points. If the next lowest proposal is \$1,100 it will receive nine (9) points reflecting the fact that it is 10% higher than the lowest cost. (90% of 10 points = 9 points)	
<b>TOTAL</b>	<b>100</b>

(c) Additional Points

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

**The cumulative points awarded for small business, DVBE, use of small business or DVBE subcontractors, low-emission vehicle business, local business, and off-peak hours delivery business shall not exceed 15 points.**

**Self-Certification for Additional Points**

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

2. To receive additional points in the evaluation process for the categories of Small Business or Small Business Joint Venture, DVBE or DVBE Joint Venture or Local Business (for non-federally funded projects), the proposer must submit a self-certification or certification from the State of California Office of Small Business Certification and Resources at the time of proposal submission certifying that the proposer meets the requirements set forth in Section III. To receive points for the use of DVBE and/or Small Business subcontractors, at least 25 percent of the total contract value must be subcontracted to DVBEs and/or Small Businesses. To receive points as a Low-Emission Vehicle Business, the proposer must demonstrate to the Executive Officer, or designee, that supplies and materials delivered to SCAQMD are delivered in vehicles that operate on either clean-fuels or if powered by diesel fuel, that the vehicles have particulate traps installed. To receive points as an Off-Peak Hours Delivery Business, the proposer must submit, at proposal submission, certification of its commitment to delivering supplies and materials to SCAQMD between the hours of 10:00 a.m. and 3:00 p.m. To receive points for Most Favored Customer status, the proposer must submit, at proposal submission, certification of its commitment to provide most favored customer status to the SCAQMD. The cumulative points awarded for small business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Low-Emission Vehicle Business and Off-Peak Hour Delivery Business shall not exceed 15 points.

The Procurement Section will be responsible for monitoring compliance of suppliers awarded purchase orders based upon use of low-emission vehicles or off-peak traffic hour delivery commitments through the use of vendor logs which will identify the contractor awarded the incentive. The purchase order shall incorporate terms which obligate the supplier to deliver materials in low-emission vehicles or deliver during off-peak traffic hours. The Receiving department will monitor those qualified supplier deliveries to ensure compliance to the purchase order requirements. Suppliers in non-compliance will be subject to a two percent of total purchase order value penalty. The Procurement Manager will adjudicate any disputes regarding either low-emission vehicle or off-peak hour deliveries.

- C. During the selection process the evaluation panel may wish to interview some proposers for clarification purposes only. No new material will be permitted at this time. Additional information provided during the bid review process is limited to clarification by the Proposer of information presented in his/her proposal, upon request by SCAQMD.
- D. The Executive Officer or Governing Board may award the contract to a Proposer other than the Proposer receiving the highest rating in the event the Governing Board determines that another Proposer from among those technically qualified would provide the best value to SCAQMD considering cost and technical factors. The determination shall be based solely on the Evaluation Criteria contained in the Request for Proposal (RFP), on evidence provided in the proposal and on any other evidence provided during the bid review process.

- E. Selection will be made based on the above-described criteria and rating factors. The selection will be made by and is subject to Executive Officer or Governing Board approval. Proposers may be notified of the results by letter.
- F. The Governing Board has approved a Bid Protest Procedure which provides a process for a Bidder or prospective Bidder to submit a written protest to SCAQMD Procurement Manager in recognition of two types of protests: Protest Regarding Solicitation and Protest Regarding Award of a Contract. Copies of the Bid Protest Policy can be secured through a request to SCAQMD Procurement Department.
- G. The Executive Officer or Governing Board may award contracts to more than one proposer if in (his or their) sole judgment the purposes of the (contract or award) would best be served by selecting multiple proposers.
- H. If additional funds become available, the Executive Officer or Governing Board may increase the amount awarded. The Executive Officer or Governing Board may also select additional proposers for a grant or contract if additional funds become available.
- I. Disposition of Proposals – Pursuant to SCAQMD’s Procurement Policy and Procedure, SCAQMD reserves the right to reject any or all proposals. All proposals become the property of SCAQMD, and are subject to the California Public Records Act. One copy of the proposal shall be retained for SCAQMD files. Additional copies and materials will be returned only if requested and at the proposer's expense.

## **SECTION X: FUNDING**

The total funding for the work contemplated by this RFP, including Contractor labor, media buys, ad production, direct costs, etc., will be a maximum of **\$250,000** for the 2016/17 Check Before You Burn season with an option to renew the contract twice, for the 2017/18 and 2018/19 Check Before You Burn seasons, for an estimated total amount of \$750,000.

## **SECTION XI: SAMPLE CONTRACT**

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

# **ATTACHMENT A**

## **PARTICIPATION IN THE PROCUREMENT PROCESS**

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

B. Definitions:

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

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

## **ATTACHMENT A**

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

- c. is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.
4. "Local business" as used in this policy means a company that has an ongoing business within geographical boundaries of SCAQMD at the time of bid or proposal submittal and performs 90% of the work related to the contract within the geographical boundaries of SCAQMD and satisfies the requirements of subparagraph H below.
5. "Small business" as used in this policy means a business that meets the following criteria:
  - a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
    - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
    - A manufacturer with 100 or fewer employees.
  - b. Manufacturer means a business that is both of the following:
    - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
    - 2) Classified between Codes 311000 and 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.
6. "Joint ventures" as defined in this policy pertaining to certification means that one party to the joint venture is a DVBE or small business and owns at least 51 percent of the joint venture.
7. "Low-Emission Vehicle Business" as used in this policy means a company or contractor that uses low-emission vehicles in conducting deliveries to SCAQMD. Low-emission vehicles include vehicles powered by electric, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol, hydrogen and diesel retrofitted with particulate matter (PM) traps.
8. "Off-Peak Hours Delivery Business" as used in this policy means a company or contractor that commits to conducting deliveries to SCAQMD during off-peak traffic hours defined as between 10:00 a.m. and 3:00 p.m.

## ATTACHMENT A

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

9. "Benefits Incentive Business" as used in this policy means a company or contractor that provides janitorial, security guard or landscaping services to SCAQMD and commits to providing employee health benefits (as defined below in Section VIII.D.2.d) for full time workers with affordable deductible and co-payment terms.
  10. "Minority Business Enterprise" as used in this policy means a business that is at least 51 percent owned by one or more minority person(s), or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more or minority persons.
    - a. a business whose management and daily business operations are controlled by one or more minority persons.
    - b. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.
    - c. "Minority person" for purposes of this policy, means a Black American, Hispanic American, Native-American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian (including a person whose origins are from India, Pakistan, and Bangladesh), Asian-Pacific-American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, and Taiwan).
  11. "Most Favored Customer" as used in this policy means that the SCAQMD will receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services.
  12. "Disadvantaged Business Enterprise" as used in this policy means a business that is an entity owned and/or controlled by a socially and economically disadvantaged individual(s) as described by Title X of the Clean Air Act Amendments of 1990 (42 U.S.C. 7601 note) (10% statute), and Public Law 102-389 (42 U.S.C. 4370d)(8% statute), respectively;
    - a Small Business Enterprise (SBE);
    - a Small Business in a Rural Area (SBRA);
    - a Labor Surplus Area Firm (LSAF); or
    - a Historically Underutilized Business (HUB) Zone Small Business Concern, or a concern under a successor program.
- C. Under Request for Quotations (RFQ), DVBEs, DVBE business joint ventures, small businesses, and small business joint ventures shall be granted a preference in an amount equal to 5% of the lowest cost responsive bid. Low-Emission Vehicle Businesses shall be granted a preference in an amount equal to 5 percent of the lowest cost responsive bid. Off-Peak Hours Delivery Businesses shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid. Local businesses (if the procurement is not

## **ATTACHMENT A**

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

funded in whole or in part by federal grant funds) shall be granted a preference in an amount equal to 2% of the lowest cost responsive bid. Businesses offering Most Favored Customer status shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid.

- D. Under Request for Proposals, DVBEs, DVBE joint ventures, small businesses, and small business joint ventures shall be awarded ten (10) points in the evaluation process. A non-DVBE or large business shall receive seven (7) points for subcontracting at least twenty-five (25%) of the total contract value to a DVBE and/or small business. Low-Emission Vehicle Businesses shall be awarded five (5) points in the evaluation process. On procurements which are not funded in whole or in part by federal grant funds local businesses shall receive five (5) points. Off-Peak Hours Delivery Businesses shall be awarded two (2) points in the evaluation process. Businesses offering Most Favored Customer status shall be awarded two (2) points in the evaluation process.
- E. SCAQMD will ensure that discrimination in the award and performance of contracts does not occur on the basis of race, color, sex, national origin, marital status, sexual preference, creed, ancestry, medical condition, or retaliation for having filed a discrimination complaint in the performance of SCAQMD contractual obligations.
- F. SCAQMD requires Contractor to be in compliance with all state and federal laws and regulations with respect to its employees throughout the term of any awarded contract, including state minimum wage laws and OSHA requirements.
- G. When contracts are funded in whole or in part by federal funds, and if subcontracts are to be let, the Contractor must comply with the following, evidencing a good faith effort to solicit disadvantaged businesses. Contractor shall submit a certification signed by an authorized official affirming its status as a MBE or WBE, as applicable, at the time of contract execution. SCAQMD reserves the right to request documentation demonstrating compliance with the following good faith efforts prior to contract execution.
  - 1. Ensure Disadvantaged Business Enterprises (DBEs) are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
  - 2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
  - 3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and Local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.



## **ATTACHMENT A**

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

4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
  5. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
  6. If the prime contractor awards subcontracts, require the prime contractor to take the above steps.
- H. To the extent that any conflict exists between this policy and any requirements imposed by federal and state law relating to participation in a contract by a certified MBE/WBE/DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.
- I. When contracts are not funded in whole or in part by federal grant funds, a local business preference will be awarded. For such contracts that involve the purchase of commercial off-the-shelf products, local business preference will be given to suppliers or distributors of commercial off-the-shelf products who maintain an ongoing business within the geographical boundaries of SCAQMD. However, if the subject matter of the RFP or RFQ calls for the fabrication or manufacture of custom products, only companies performing 90% of the manufacturing or fabrication effort within the geographical boundaries of SCAQMD shall be entitled to the local business preference.
- J. In compliance with federal fair share requirements set forth in 40 CFR Part 33, SCAQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.

## ATTACHMENT B

### CERTIFICATIONS AND REPRESENTATIONS



# South Coast Air Quality Management District

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

### Business Information Request

Dear SCAQMD Contractor/Supplier:

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

Michael B. O'Kelly  
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 9/15



# 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 SCAQMD, (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 SCAQMD 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 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 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 SCAQMD 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.**

Print or type See Specific Instructions on page 2.	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; check only <b>one</b> of the following seven boxes: <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 <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <b>Note.</b> For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____		4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.)		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 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.

<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 and the chart on page 4 for guidelines on whose number to enter.

### Part II Certification

Under penalties of perjury, I certify that:

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

<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.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

#### 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? on page 2.*
- 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?* on page 2 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 Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

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

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

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

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

If you are a nonresident alien or a foreign entity, 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 28% 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 Part II instructions on page 3 for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code* on page 3 and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships* above.

## 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* on page 3 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, list first, and then circle, the name of the person or entity whose number you entered in Part I of 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 in line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box in line 3.

**Limited Liability Company (LLC).** If the name on line 1 is an LLC treated as a partnership for U.S. federal tax purposes, check the "Limited Liability Company" box and enter "P" in the space provided. If the LLC has filed Form 8832 or 2553 to be taxed as a corporation, check the "Limited Liability Company" box and in the space provided enter "C" for C corporation or "S" for S corporation. If it is a single-member LLC that is a disregarded entity, do not check the "Limited Liability Company" box; instead check the first box in line 3 "Individual/sole proprietor or single-member LLC."

**Line 4, Exemptions**

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space in 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.

**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. However, the IRS prefers that you use your SSN.

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

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

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

If you are asked to complete Form W-9 but do not have a TIN, 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 items 1, 4, or 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on 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), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

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

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

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

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

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

<sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 2.

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

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

**Secure Your Tax Records from Identity Theft**

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

To reduce your risk:

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

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

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

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

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

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

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

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](mailto:phishing@irs.gov). You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (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 contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDTHEFT (1-877-438-4338).

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

**Privacy Act Notice**

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. 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.

# 2015 Withholding Exemption Certificate

# 590

The payee completes this form and submits it to the withholding agent.

### Withholding Agent (Type or print)

Name \_\_\_\_\_

### Payee

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 reason box below that applies to the payee.

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

**Individuals — Certification of Residency:**

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

**Corporations:**

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

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

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

**Tax-Exempt Entities:**

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

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

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

**California Trusts:**

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

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

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

**Nonmilitary Spouse of a Military Servicemember:**

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

**CERTIFICATE OF PAYEE:** Payee must complete and sign below.

Under penalties of perjury, I hereby certify that the information provided in this document is, to the best of my knowledge, true and correct. If conditions change, I will promptly notify the withholding agent.

Payee's name and title (type or print) \_\_\_\_\_ Telephone (\_\_\_\_) \_\_\_\_\_

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

# 2015 Instructions for Form 590

## Withholding Exemption Certificate

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

### General Information

**Registered Domestic Partners (RDP)** – For purposes of California income tax, references to a spouse, husband, or wife also refer to a Registered Domestic Partner (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 information on California backup withholding, go to [ftb.ca.gov](http://ftb.ca.gov) and search for **backup withholding**.

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

**Do not** use Form 590 to certify an exemption from withholding if you are a **Seller of California real estate**. Sellers of California real estate use Form 593-C, Real Estate Withholding Certificate, to claim an exemption from real estate withholding.

**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

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.

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 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 certificate on the preprinted form, the withholding agent may accept as a substitute certificate a letter from the payee explaining why the payee is 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. The withholding agent must retain a copy of the certificate or substitute for at least four years after the last payment to which the certificate applies, and provide it upon request to the FTB.

For example, 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 non-wage 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, get 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 if it is a foreign corporation qualified to transact intrastate business by the CA SOS. 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 taxpayer identification number (TIN) and check the appropriate TIN box.

You must provide an acceptable 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** – Enter the information in the following order: City, Country, Province/Region, and Postal Code. Follow the country's practice for entering the postal code. **Do not** abbreviate the country's name.

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

### Withholding Agent Instructions

Keep Form 590 for your records. **Do not** send this form to the FTB unless it has been specifically requested.

For more information, contact Withholding Services and Compliance, see Additional Information.

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, and Form 592-V, Payment Voucher for Resident and Nonresident Withholding.

## Additional Information

For additional information or to speak to a representative regarding this form, call the Withholding Services and Compliance telephone service at:

Telephone: **888.792.4900**  
916.845.4900

Fax: 916.845.9512

OR write to:

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

You can download, view, and print California tax forms and publications at [ftb.ca.gov](http://ftb.ca.gov).

OR to get forms by mail write to:

TAX FORMS REQUEST UNIT  
FRANCHISE TAX BOARD  
PO BOX 307  
RANCHO CORDOVA CA 95741-0307

For all other questions unrelated to withholding or to access the TTY/TDD numbers, see the information below.

### Internet and Telephone Assistance

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

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

TTY/TDD: 800.822.6268 for persons with hearing or speech impairments

### Asistencia Por Internet y Teléfono

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

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

TTY/TDD: 800.822.6268 para personas con discapacidades auditivas o del habla



## CAMPAIGN CONTRIBUTIONS DISCLOSURE

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

California law prohibits a party, or an agent, from making campaign contributions to SCAQMD Governing Board Members or members/alternates of the Mobile Source Air Pollution Reduction Review Committee (MSRC) of more than \$250 while their contract or permit is pending before SCAQMD; 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, SCAQMD Board Members or members/alternates of the MSRC must abstain from voting on a contract or permit if they have received a campaign contribution from a party or participant to the proceeding, or agent, totaling more than \$250 in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov't Code §84308(c).

The list of current SCAQMD Governing Board Members can be found at SCAQMD 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).*

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

### **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 (SCAQMD) 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 SCAQMD 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 SCAQMD for distribution. This will delay my payment.
- This authorization remains in effect until SCAQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless SCAQMD 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 SCAQMD Use Only

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

Date \_\_\_\_\_



[↑ Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 7

**PROPOSAL:** Execute Contract for Refurbishment of Pace Air Handlers at SCAQMD Headquarters and Approve Transfer of Funds

**SYNOPSIS:** On November 6, 2015, the Board authorized the release of an RFP for the refurbishment of Pace air handlers at SCAQMD headquarters. This action is to execute a contract with Emcor Services for an amount not to exceed \$1,265,260 for the refurbishment of the Pace air handlers, and approve the transfer of \$204,200 from District General's FY 2015-16 Budget to the Infrastructure Improvement Fund (02).

**COMMITTEE:** Administrative, March 11, 2016; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Authorize the Executive Officer to execute a contract with Emcor Services for the refurbishment of Pace air handlers for an amount not to exceed \$1,265,260 from the Infrastructure Improvement Fund (02).
2. Approve the transfer of \$204,200 from District General's FY 2015-16 Budget, Services and Supplies Major Object, Professional and Special Services account to the Infrastructure Improvement Fund (02) for the refurbishment of the Pace air handlers.

Michael B. O'Kelly  
Acting Executive Officer

WJJ:BJ:tc

---

**Background**

The current Pace air handlers are used to provide conditioned air at SCAQMD headquarters. The air handlers are over 24 years old and have been operating at an average of 20 hours a day, 365 days a year. The typical life expectancy of air handlers is from 15 to 20 years. Over the past five years, maintenance costs for the air handlers have escalated while the dependability and energy efficiency continues to decline.

The existing air handlers operate with one or two large constant speed plug fans. Each air handler fan ranges in size from 30 inches to 44.5 inches in diameter and is operated by electric motors from 10 to 75 horse power. Currently, should a fan fail, all conditioned air flow to the affected floor will cease until repairs can be made.

Replacement parts for Pace air handlers are no longer available. After extensive research, staff recommends replacing the large constant speed plug fans and other aging components with new energy efficient fan wall technology within the air handler units. Fan wall technology consists of a group of smaller fans and motors that run independently of each other, but collectively the fans will provide the same volume of conditioned air as do the current plug fans. With this new technology, should a fan fail, the others will automatically increase in speed to compensate for the failed fan, allowing staff to make repairs without compromising the comfort of staff.

### **Infrastructure Improvement Fund**

In April 2013, the Board established the Infrastructure Improvement Fund (02) to separately account for large-scale and/or multi-year infrastructure improvement projects. With SCAQMD's aging headquarters facilities and information technology infrastructure, improvement projects are of a larger size and scope that may extend over one or more fiscal years. On April 4, 2014, the Board approved the transfer of \$585,000 to the Infrastructure Improvement Fund for the refurbishment of the Pace air handlers. Staff has identified additional funding of \$476,060 in the Infrastructure Improvement Fund available for the refurbishment of the Pace air handlers. In addition, \$204,200 will be transferred to the Infrastructure Improvement Fund from General Fund's FY 2015-16 Budget. These three sources of funds will provide the total contract amount.

### **Outreach**

In accordance with SCAQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids was 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 bidders may have been notified utilizing SCAQMD's own electronic listing of certified minority vendors. Notice of the RFP has been emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at SCAQMD's website (<http://www.aqmd.gov>).

**Proposal Evaluation**

Nine contractors were contacted about the RFP, and six attended the mandatory bidder's conference held on November 19, 2015. Three proposals were received when final bidding closed at 2:00 p.m. on December 16, 2015. All three were complete and met RFP requirements.

The panel evaluating proposals included an independent HVAC consultant and three SCAQMD employees: the Building Supervisor and two Program Supervisors from Planning and Rules. All of the panel members are Caucasian males.

Evaluation of the proposals were based on criteria specified in the RFP, which included cost, understanding of requirements, contractor qualifications and references regarding past work experience. Staff recommends the contract be awarded to Emcor Service, which received the highest technical score as well as having over 35 years of experience in Southern California. Staff believes that Emcor Service's higher proposed cost is commensurate with their greater professional experience in the air handler retrofitting industry as compared to the other two proposers and their ability to perform the work within the stated timeframes in the RFP.

**Proposal**

Staff is proposing that a contract be executed with Emcor Services for the refurbishment of the Pace air handlers from the Infrastructure Improvement Fund for an amount not to exceed \$1,265,260.

Staff is also proposing that \$204,200 be transferred from District General's FY 2015-16 Budget, Services and Supplies Major Object, Professional and Special Services account to the Infrastructure Improvement Fund (02) for the refurbishment of the Pace air handlers.

**Resource Impacts**

Once the proposed transfer of funds to the Infrastructure Improvement Fund (02) is complete, sufficient funds will be available in the Infrastructure Improvement Fund (02) for this project.

**Attachment**

Refurbishment of Pace Air Handlers Evaluation Summary

## ATTACHMENT

### Refurbishment of Pace Air Handlers Evaluation Summary

Company Name	Bid Amount	Cost Points	Understanding of Requirements	Contractor Qualifications	Reference And Experience	Additional Points*	Total
Emcor Service	\$1,265,260	21	20	19	10	14	84
Control Air Conditioning Corp.**	\$985,000	30	13	15	8	14	80
Allison Mechanical Inc.	\$972,362	29	14	17	2	15	77

\*Small Business = 10 points; DVBE = 10 points; Local = 5 points; Low-Emission Vehicle = 5 points; Off-Peak Hours Delivery = 2 points

\*\*Cost proposal excludes required bonds as stated in the RFP

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 8

PROPOSAL: Authorize Purchase of Enterprise Content Management System

SYNOPSIS: On December 4, 2015, SCAQMD released an RFP to select a vendor(s) capable of providing a high quality, cost-effective Enterprise Content Management (ECM) solution to capture, store and manage a robust workflow; and deliver documents and electronic files related to organizational processes. As a result of successful responses to this RFP, Hyland Software, Inc. was identified as the most capable and qualified vendor to provide the ECM solution to the SCAQMD. This action is to approve purchase of an Enterprise Content Management system from Hyland Software, Inc., including maintenance for a period of three years. This purchase is conditional on the funds (\$101,600 one-time acquisition and installation cost and \$129,783 annual maintenance cost) for the first year of this purchase being approved as part of the Proposed FY 2016-17 Budget. Also, funds for subsequent annual software maintenance tied to General Services Administration pricing will be requested in subsequent fiscal year budgets.

COMMITTEE: Administrative, March 11, 2016; Recommended for Approval

RECOMMENDED ACTIONS: (Upon approval of Proposed FY 2016-17 Budget)

1. Authorize the Procurement Manager to purchase the OnBase Agenda tracking module from Hyland Software, Inc. at a cost not to exceed \$15,000 contingent on approval of this proposal in the FY 2016-17 budget.
2. Authorize the Executive Officer to execute a contract with Hyland Software, Inc. for the installation and configuration of the OnBase Agenda tracking module at a cost not to exceed \$86,600 contingent on approval of this proposal in the FY 2016-17 budget.
3. Authorize the Procurement Manager to purchase OnBase software subscription and support for three years from Hyland Software, Inc. at a first-year cost of \$129,783 contingent on funds for each year for this project being approved in the respective budgets.

Michael B. O’Kelly  
Acting Executive Officer

## **Background**

On December 4, 2015, the SCAQMD released RFP #P2016-14 for an Enterprise Content Management (ECM) system. SCAQMD has utilized the OnBase software for its ECM system to maintain the SCAQMD's application and permit documents and other critical records since 1990. Total storage to-date is 2.5 terabytes or 4 million multi-page documents. There are 283 user created document types, 784 user created keyword types, and 156 custom queries. The Windows-based, menu-driven, ECM system is designed to store and retrieve critical SCAQMD documentation in electronic format. Users can easily navigate and perform their primary job tasks with little-to-no training utilizing intuitive ribbon-style toolbars, tabs, and easy access features that are based on the familiar look and feel of Microsoft Office products. It has a flexible compound document structure where images co-exist with text and data within a single document. It also contains tools that allow the user to add notes, comments and drawings to pages without compromising the original document's integrity. It has full network support so that information can be distributed rapidly throughout the organization regardless of architecture, and can be readily customized without programmers. This RFP seeks to obtain an ECM system that keeps the same features and functionalities but at the most favorable cost to the SCAQMD.

The RFP also included an optional Agenda Tracking Solution to replace the SCAQMD's existing custom program that has been in existence since in 1996. The goal of this component is to replace the aging custom agenda tracking system with a state-of-the-art, cost-effective ECM solution, including any/all migration services that might be required to fully integrate it with our ECM system.

## **Outreach**

In accordance with SCAQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids was 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 bidders may have been notified utilizing SCAQMD's own electronic listing of certified minority vendors. Notice of the RFP has been emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at SCAQMD's website (<http://www.aqmd.gov>).

## **Bid Evaluation**

Thirty-one copies of the RFP were mailed out and seventeen vendors attended the bidders conference held on December 18, 2015. Five bids were received in response to the RFP when final bidding closed at 1:00 p.m. on January 20, 2016.

The panel evaluated the five proposals based on the criteria specified in the RFP, which included completeness of response, cost, understanding of the requirements, contractor qualifications, and references regarding past experience. Of these five bids, four were found to be fully responsive to the RFP. The fifth bid was found to be non-responsive. One bid was from a certified minority-owned business enterprise.

The Attachment reflects the evaluation of the proposals and the respective ratings for contract bids. The four-person evaluation committee gave the highest rating to Hyland Software, Inc. Staff recommends that the Board award the contract to Hyland Software, Inc. for the OnBase Enterprise Content Management system in an amount not to exceed \$231,383, which includes \$101,600 for the agenda tracking module, and \$129,783 for the first year's maintenance costs. It should be noted that even though Hyland Software did not agree to provide the SCAQMD with a "Most Favored Customer" statement, they did agree to provide the General Services Administration pricing on all aspects of their bid.

### **Panel Composition**

The evaluation panel consisted of an IT Project Manager from SCAG, and three SCAQMD employees: an Asst. Deputy Executive Officer from Engineering and Compliance, and two staff from Information Management—a Technology Implementation Manager and a Systems & Programming Supervisor. Of these four panelists, two are male and two are female; all are Caucasian.

### **Resource Impacts**

Sufficient Funds (\$231,383) are included in Information Management's Proposed FY 2016-17 Budget within Services and Supplies and Capital Outlay Major Objects. Funding for subsequent years will be budgeted appropriately.

### **Attachment**

Summary of Evaluation of Respondents to RFP #P2016-14

**Attachment**  
**Summary of Evaluation of Respondents to RFP #P2016-14**

Five proposals were received in response to the RFP. They were from Ambire Consulting, Inc.; Wave Technology Solution; Hyland Software, Inc.; Stellar Services, Inc.; and Phoenix Business Consulting. Ambire Consulting proposal was determined to be non-responsive.

Technical Criteria (70 points maximum)

	<b>Proposer</b>			
	<b>Wave Technology</b>	<b>Hyland Software</b>	<b>Stellar Services</b>	<b>Phoenix Business Consulting</b>
Panel Average	45.75	63.25	59.25	56.50

Base Bid Cost Breakdown

	<b>Proposer</b>			
	<b>Wave Technology</b>	<b>Hyland Software</b>	<b>Stellar Services</b>	<b>Phoenix Business Consulting</b>
License	\$594,833	\$0	\$390,490	\$0
Maintenance	\$120,023	\$129,783	\$50,901	\$158,350
Conversion	\$419,045	\$0	\$1,010,620	\$0
Total Cost	\$1,133,901	\$129,783	\$1,452,011	\$158,350

Cost Points (30 points maximum)

	<b>Proposer</b>			
	<b>Wave Technology</b>	<b>Hyland Software</b>	<b>Stellar Services</b>	<b>Phoenix Business Consulting</b>
Base Bid Amount	\$1,133,901	\$129,783	\$1,452,011	\$158,350
Agenda Tracking Bid Amount	0	\$101,600	0	\$75,063
Panel Average for Base Bid	3.43	30	2.68	24.59



Group 1 Additional Points (15 point maximum)

	<b>Proposer</b>			
	<b>Wave Technology</b>	<b>Hyland Software</b>	<b>Stellar Services</b>	<b>Phoenix Business Consulting</b>
Small Business or Small Business Joint Venture (10 points maximum)	10		10	
DVBE or DVBE Joint Venture (10 points maximum)				
Use of DVBE or Small Business Subcontractors (7 points maximum)				
Low-Emission Vehicle Business (5 points maximum)				
Local Business (5 points maximum)	5			
Off-Peak Hours Delivery Business (2 points maximum)				
<b>Panel Average</b>	15	0	10	0

Group 2 Additional Points (7 points maximum)

	<b>Proposer</b>			
	<b>Wave Technology</b>	<b>Hyland Software</b>	<b>Stellar Services</b>	<b>Phoenix Business Consulting</b>
Attendance at the Bidder's Conference	5	5		5
Most Favored Customer	2		2	2
<b>Panel Average</b>	7	5	2	7
<b>Total Points</b>	Not Qualified	98.25	73.93	88.09

 [Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 9

**PROPOSAL:** Appropriate Funds and Authorize Amending/Initiating Contracts with Outside Counsel and Specialized Legal Counsel and Services

**SYNOPSIS:** Legal is currently being assisted in environmental lawsuits by outside law firms and in other matters requiring specialized legal counsel and services, including on-going litigation. This action is to appropriate \$100,000 from the Designation for Litigation and Enforcement and \$350,000 from Undesignated Fund Balance to Legal's FY 2015-16 Budget and amend or initiate contracts to expend these funds with prequalified counsel approved by the Board as well as specialized legal counsel and services.

**COMMITTEE:** Administrative, March 11, 2016; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Appropriate \$100,000 from the Designation for Litigation/Enforcement and \$350,000 from Undesignated (Unassigned) Fund Balance to Legal's FY 2015-16 Budget, Services and Supplies Major Object, Professional and Special Services Account to be used to amend or initiate contracts to expend these funds with prequalified counsel approved by the Board as well as specialized legal counsel and services.
2. Authorize the Chairman or the Executive Officer, depending on whether the amount exceeds \$75,000, to amend or initiate contracts with prequalified counsel approved by the Board, as well as specialized legal counsel and services, in a total amount not to exceed \$2,229,500 in FY 2015-16, as the need arises.

Michael B. O'Kelly  
Acting Executive Officer

**Background**

The FY 2015-16 Budget for Legal included \$279,500 for litigation expenses in environmental law cases and specialized legal counsel and services; however, this will not cover current and anticipated costs of legal counsel and specialized counsel and services. Due to the complexity of certain cases, particularly the Exide Technologies case bankruptcy court proceedings in Delaware, it is expected that expenses in these matters, and the other matters handled by specialized legal counsel and related services, will require an additional amount of up to \$450,000. Monies will be expended on other lawsuits and legal proceedings, including defending an appeal filed by Communities for a Better Environment to a CEQA challenge of a project by Phillips 66 at its Los Angeles/Carson Refinery that will reduce ship emissions; and a challenge to the World Logistics Center warehouse project in Moreno Valley. In the Phillips 66 case we will be reimbursed for litigation costs once the case is closed. To date, litigation costs in the Phillips 66 matter have totaled \$172,327.04. Accordingly, Legal is requesting the transfer of funds in the amount of \$450,000, for a total expected expenditure of \$2,229,500 this fiscal year.

**Proposal**

In order to defend on-going and threatened litigation, it is necessary to appropriate additional funds for expenditure by outside counsel. It is expected that on-going lawsuits as well as matters requiring specialized legal counsel will require an additional \$450,000 to be appropriated to prequalified counsel approved by the Board and with specialized legal counsel and services, as the need arises.

**Resource Impacts**

Sufficient funds will be available in Legal's FY 2015-16 Budget upon approval of this Board letter.



[↑ Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 10

PROPOSAL: Approve Contract Awards Approved by MSRC

SYNOPSIS: As part of their FYs 2014-16 AB 2766 Discretionary Fund Work Program, the MSRC approved one new contract under the Major Event Center Transportation Program, and five new sole-source contracts under the Transportation Control Measure Partnership Program. At this time the MSRC seeks Board approval of the contract awards.

COMMITTEE: Mobile Source Air Pollution Reduction Review; March 17, 2016, Recommended for Approval

RECOMMENDED ACTIONS:

1. Approve a contract award to Orange County Transportation Authority (OCTA) under the Major Event Center Transportation Program in an amount not to exceed \$128,500 to provide special bus service to Angel Stadium, as part of approval of the FYs 2014-16 Work Program, as described in this letter;
2. Approve the award of five sole-source contracts totaling \$7,212,898 under the Transportation Control Measure Partnership Program as part of approval of the FYs 2014-16 Work Program, as described in this letter and as follows:
  - a. A contract with Los Angeles County Metropolitan Transportation Authority in an amount not to exceed \$2,500,000 for expansion of the Willowbrook/Rosa Parks transit station;
  - b. A contract with San Bernardino Associated Governments (SANBAG) in an amount not to exceed \$1,000,000 for signal synchronization projects;
  - c. A contract with SANBAG in an amount not to exceed \$250,000 for a series of "Open Streets" events promoting active transportation modes;
  - d. A contract with OCTA in an amount not to exceed \$1,553,657 to support the implementation of a mobile ticketing system; and
  - e. A contract with Riverside County Transportation Commission in an amount not to exceed \$1,909,241 for strategies to address first mile/last mile mobility associated with Metrolink stations;
3. Authorize MSRC the authority to adjust contract awards up to five percent, as necessary and previously granted in prior work programs; and

4. Authorize the Chairman of the Board to execute new contracts under FYs 2014-16 Work Program, as described above and in this letter.

Greg Winterbottom,  
Immediate Past Chair, MSRC

MM:HH:CR

---

### **Background**

In September 1990 Assembly Bill 2766 was signed into law (Health & Safety Code Sections 44220-44247) authorizing the imposition of an annual \$4 motor vehicle registration fee to fund the implementation of programs exclusively to reduce air pollution from motor vehicles. AB 2766 provides that 30 percent of the annual \$4 vehicle registration fee subvended to the SCAQMD be placed into an account to be allocated pursuant to a work program developed and adopted by the MSRC and approved by the Board.

In November 2014, the MSRC selected initial categories for the FYs 2014-16 Work Program. Additional project categories continued to be developed and were brought forward for MSRC consideration in subsequent months. At its March 17, 2016 meeting, the MSRC considered recommended awards under Major Event Center Transportation and Transportation Control Measure CTC Partnership Programs. Details are provided below in the Proposals section.

### **Outreach**

In accordance with SCAQMD's Procurement Policy and Procedure, public notices advertising the Major Event Center Transportation Program Announcement were published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin. In addition, the Program Announcement was advertised in the Desert Sun newspaper for expanded outreach in the Coachella Valley.

Additionally, potential bidders may have been notified utilizing SCAQMD's own electronic listing of certified minority vendors. Notice of the solicitation was emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at SCAQMD's Website (<http://www.aqmd.gov>). Further, the solicitation was posted on the MSRC's website at <http://www.cleantransportationfunding.org> and electronic notifications were sent to those subscribing to this website's notification service.

## **Proposals**

At its March 17, 2016 meeting, the MSRC considered recommendations from its MSRC-TAC and approved the following:

### **FYs 2014-16 Major Event Center Transportation Program**

As part of the FYs 2014-16 Work Program, the MSRC allocated \$4.5 million for event center transportation programs and released a Program Announcement to solicit projects for traffic-impacted centers. At their November 19, 2015 meeting, the MSRC allocated an additional \$123,866, and to date, the MSRC has awarded a total of \$3,915,899. The MSRC considered recommendations concerning an additional application. OCTA requested the MSRC to consider an award of \$128,500 to provide special bus transportation services between the Goldenwest Transportation Center in Huntington Beach and Angel Stadium of Anaheim for 50 regular season, weekday evening, home games beginning April 4, 2016. The service would be scheduled to arrive prior to the beginning of each game. Three to four dedicated buses would be used per game. At the conclusion of the game, buses would be staged waiting for passengers before departing, even in the event of extra innings. The proposed service would provide direct connectivity, depending upon time of day, to a variety of transit modes, including other OCTA bus routes and carpools. In addition, riders could access the service by bicycle through the existing bikeway system and supporting bike amenities that are available at the Center. In addition, the use of high capacity clean fuel buses would reduce automobile traffic in and around the Stadium, reducing traffic congestion and thereby reducing vehicle exhaust emissions. OCTA would contribute no less than 50% of the total cost of \$259,610. The MSRC approved a contract award to OCTA in an amount not to exceed \$128,500 to implement the 2016 Angels Express Bus service as part of the FYs 2014-16 AB 2766 Discretionary Fund Work Program.

### **FYs 2014-16 Transportation Control Measure Partnership Program**

As part of the FYs 2014-16 Work Program, the MSRC allocated \$10.0 million for a program to partner with cities, County Transportation Commissions (CTCs) and others to demonstrate transportation control measure (TCM) projects. Innovative TCM projects have potential to reduce significant numbers of automobile trips or remove impediments to efficient traffic flow. The program is intended to provide a portion of the funding for projects, which when combined with other funding sources would accelerate the projects' implementation. Because CTCs typically solicit and co-fund the majority of TCM projects within their respective jurisdictions, the MSRC determined that CTCs would have the best overall perspective regarding the need for TCMs within their respective regions as well as knowledge of where funding can most effectively be applied. Therefore, the MSRC asked CTCs to bring forward work plans proposing projects for funding. Other interested entities would then participate in the projects via separate agreements with the CTCs. To date, the MSRC has awarded \$2,335,027 for three work plans. Five additional work plans were submitted for consideration. The MSRC-TAC unanimously recommended, and the MSRC unanimously approved, five awards totaling

\$7,212,898 as part of the FYs 2014-16 AB 2766 Discretionary Fund Work Program, as follows:

- a. A contract with Los Angeles County Metropolitan Transportation Authority (Metro) in an amount not to exceed \$2,500,000 to modernize and expand the existing Willowbrook/Rosa Parks Transit Station, increasing station capacity, improving multi-modal connections, and addressing safety and security concerns;
- b. A contract with SANBAG in an amount not to exceed \$1,000,000 to coordinate traffic signals throughout the valley portion of the County of San Bernardino, developing timing plans and upgrading signal system equipment to increase traffic mobility;
- c. A contract with SANBAG in an amount not to exceed \$250,000 to implement the “Active Transportation Safety, Encouragement Campaign for Open Streets and Temporary Events” plan, supporting local initiatives to host Open Streets and temporary pop-up events to encourage use of active transportation;
- d. A contract with OCTA in an amount not to exceed \$1,553,657 to implement a mobile ticketing system, purchasing readers for installation on buses in order to modernize their fare collection system and increase the attractiveness of transit as an alternative to auto travel;
- e. A contract with Riverside County Transportation Commission (RCTC) in an amount not to exceed \$1,909,241 to implement commuter rail “first mile/last mile” active transportation strategies, addressing bicycle storage concerns and safe and efficient pedestrian and bike access at Metrolink stations as well as in adjacent streets and communities in order to reduce motor vehicle trips to the stations while increasing overall passenger rail ridership.

At this time, the MSRC requests the SCAQMD Board to approve the contract awards as part of approval of the FYs 2014-16 AB 2766 Discretionary Fund Work Program as outlined above. The MSRC also requests the Board to authorize the SCAQMD Chairman of the Board the authority to execute all agreements described in this letter. The MSRC further requests authority to adjust the funds allocated to each project specified in this Board letter by up to five percent of the project’s recommended funding. The Board has granted this authority to the MSRC for all past Work Programs.

### **Sole-Source Justification**

As an element of its FYs 2014-16 Work Program, the MSRC allocated \$10 million for a program to partner on TCM projects. As discussed in Proposals above, these projects will be implemented by initiating sole-source contracts with CTCs. While the MSRC and SCAQMD strive to retain technical services on a competitive basis, the SCAQMD’s Procurement Policy and Procedure recognizes that, at times, the required services are available from only one source, making the pursuit of a competitive procurement futile. Metro, SANBAG, OCTA and RCTC solicit and co-fund TCM projects within their respective subregions of the SCAQMD jurisdiction. Thus, Metro, SANBAG, OCTA and RCTC each have a unique perspective regarding the state of TCMs within their regions as well as knowledge of where funding can most effectively be applied.

This request for sole source awards to Metro, SANBAG, OCTA and RCTC is made under provision VIII.B.2.c.(1): The desired services are available from only the sole source due to the unique experience and capabilities of the proposed contractor or contractor team.

**Resource Impacts**

The SCAQMD acts as fiscal administrator for the AB 2766 Discretionary Fund Program (Health & Safety Code Section 44243). Money received for this program is recorded in a special revenue fund (Fund 23) and the contracts specified herein, as well as any contracts awarded in response to the solicitation, will be drawn from this fund.



BOARD MEETING DATE: April 1, 2016

AGENDA NO. 11

REPORT: Legislative and Public Affairs Report

SYNOPSIS: This report highlights February 2016 outreach activities of Legislative and Public Affairs, which include: an Environmental Justice Update, Community Events/Public Meetings, Business Assistance, and Outreach to Business and Federal, State, and Local Government.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Michael B. O'Kelly  
Acting Executive Officer

LBS:DJA:MC:DM

---

## **BACKGROUND**

This report summarizes the activities of Legislative and Public Affairs for February 2016. The report includes four major areas: Environmental Justice Update; Community Events/Public Meetings (including the Speakers Bureau/Visitor Services, Communications Center, and Public Information Center); Business Assistance; and Outreach to Business and Federal, State and Local Governments.

## **ENVIRONMENTAL JUSTICE UPDATE**

The following are key environmental justice-related activities in which SCAQMD staff participated during the month of February 2016. These events involve communities that may suffer disproportionately from adverse air quality impacts.

### February 6, 2016

- The SCAQMD Hearing Board held a public hearing related to Exide Technologies, in the Commerce City Hall Council Chambers. Staff organized, implemented outreach and logistics, and assisted throughout the day to facilitate a smooth-running public hearing.

#### February 9

- Staff handled logistics, outreach and implementation of AB 2588 Air Toxics “Hot Spots” meeting related to Bowman Plating near Compton, and assisted the day of the meeting, which was attended by residents, business representatives and local elected staff officials.

#### February 10

- Staff attended the American Lung Association’s Air Quality Networking meeting in San Bernardino along with leaders of local environmental and health organizations. SCAQMD staff promoted awareness of the Environmental Justice Community Partnership by providing information about the initiative and plans for upcoming workshops, events, and the environmental justice conference.

#### February 11

- Staff organized logistics, outreach and implementation of follow-up public meeting related to Hixson Metal Finishing in Newport Beach, and interacted with community members to hear their concerns regarding the facility’s operations.

#### February 12

- Staff attended the California Endowment Stakeholder Roundtable hosted by the California Department of Health in Los Angeles, and received information on the South Gate Environmental Health Assessment Team and the Team’s work relative to air quality.

#### February 16

- Staff helped organize the Exide Technologies Advisory Group meeting held at Bishop Mora Salesian High School in Boyle Heights. The Department of Toxic Substances Control and SCAQMD presented on governance rules for the Advisory Group and provided an update on Exide Technologies.

#### February 17

- Staff participated in the Coachella Valley Environmental Justice Enforcement Task Force meeting to better understand environmental justice issues affecting the community. While networking with environmental justice group representatives, who are working with communities throughout Riverside County to address pollution, public health and EJ issues, staff updated attendees on the Environmental Justice Community Partnership.
- Staff represented SCAQMD at the quarterly San Bernardino County Healthy Communities meeting and provided information on EV infrastructure incentive programs available to cities and residents.

### February 18

- Staff represented SCAQMD at the Inland Empire Asthma Coalition Meeting in San Bernardino and provided an update on the Environmental Justice Community Partnership and plans for upcoming workshops, events, and the environmental justice conference.

### February 25

- Staff attended the Healthy Jurupa Valley Safety and Readiness Action Team meeting in Jurupa Valley and provided an update on the 2016 Air Quality Management Plan.

## **COMMUNITY EVENTS/PUBLIC MEETINGS**

Each year SCAQMD staff engage with thousands of residents, providing valuable information about the agency, incentive programs, and ways individuals can help reduce air pollution through events and meetings sponsored solely by SCAQMD or in partnership with others. Attendees typically receive the following information:

- Tips on reducing their exposure to smog and its health effects;
- Clean air technologies and their deployment;
- Invitations or notices of conferences, seminars, workshops and other public events;
- SCAQMD incentive programs;
- Ways to participate in SCAQMD's rule and policy development; and
- Assistance in resolving air pollution-related problems.

SCAQMD staff attended and/or provided information and updates at the following events:

### February 6

- Southern California Edison's "Connecting Revolution of Electricity to Black History" event, Los Angeles.

### February 11

- Public Meeting regarding Hixson Metal Finishing, Hoag Conference Center, Newport Beach.

### February 16

- Department of Toxic Substances Control & SCAQMD Exide Technologies Advisory Group Meeting, Bishop Mora Salesian High School.

February 17

- San Bernardino County Healthy Communities Meeting, San Bernardino County Department of Public Health.

February 20

- SCAQMD Hearing Board public hearing update on the Southern California Gas Company Aliso Canyon Facility, Canoga Park High School.

February 26

- 17<sup>th</sup> Annual General Assembly Meeting, South Bay Council of Governments.

February 26-27

- 35<sup>th</sup> Annual Race on the Base, Los Alamitos Joint Forces Training Base, Los Alamitos.

**SPEAKERS BUREAU/VISITOR SERVICES**

SCAQMD regularly receives requests for staff to speak on air quality-related issues from a wide variety of organizations, such as trade associations, chambers of commerce, community-based groups, schools, hospitals, and health-based organizations.

SCAQMD also hosts visitors from around the world who meet with staff on a wide range of air quality issues.

February 19

- Thirty-five students and staff from Montclair High School in San Bernardino County visited SCAQMD headquarters where they: received an overview on air quality; learned how the agency monitors air pollution levels; toured the SCAQMD laboratory; and checked out several clean alternative fueled vehicles.

February 26

- Seventeen students and staff from Pomona College in Los Angeles County visited SCAQMD headquarters where they: received an overview on air quality and air monitoring; and learned about various potential career opportunities at the SCAQMD.

**COMMUNICATION CENTER STATISTICS**

The Communication Center handles calls on SCAQMD’s main line, 1-800-CUT-SMOG® line, the Spanish line, and after hours calls to each of those lines. Calls received in the month of February 2016 were:

Calls to SCAQMD’s Main Line and 1-800-CUT-SMOG® Line	4,051
Calls to SCAQMD’s Spanish-language Line	<u>49</u>
Total Calls	4,100

**PUBLIC INFORMATION CENTER STATISTICS**

The Public Information Center (PIC) handles phone calls and walk-in requests for general information. Information for the month of February is summarized below:

Calls Received by PIC Staff	178
<u>Calls to Automated System</u>	<u>973</u>
Total Calls	1,151
Visitor Transactions	284
E-Mail Advisories Sent	9,317

**BUSINESS ASSISTANCE**

SCAQMD notifies local businesses of proposed regulations so they can participate in the agency’s rule development process. SCAQMD also works with other agencies and governments to identify efficient, cost-effective ways to reduce air pollution and shares that information broadly. Staff provides personalized assistance to small businesses both over the telephone and via on-site consultation. The information is summarized below:

- Provided permit application assistance to 149 companies
- Conducted 10 free on-site consultations
- Issued 18 clearance letters

**Types of businesses assisted**

Auto Body Shops	Dry Cleaners	Furniture Refinishing Facilities
Engineering Firm	Gas Stations	Metal Fabrication Facility
Construction Firm	Restaurants	Printing Facilities
Architecture Firm	Auto Repair Centers	Manufacturing Facilities
		Coffee Roasting Facilities

## **OUTREACH TO COMMUNITY GROUPS AND FEDERAL, STATE, AND LOCAL GOVERNMENTS**

Field visits and/or communications were conducted with elected officials or staff from the following cities:

Azusa	El Monte	Ontario
Alhambra	Fontana	Perris
Aliso Viejo	La Cañada Flintridge	Porter Ranch
Arcadia	Lake Elsinore	Redlands
Anaheim	Lake Forest	Riverside
Baldwin Park	Laguna Hills	San Jacinto
Bradbury	Laguna Woods	South Gate
Buena Park	Los Angeles	South Pasadena
Beaumont	Los Alamitos	Temecula
Banning	Menifee	Temple City
Canyon Lake	Mission Viejo	Tustin
Covina	Monrovia	Upland
Commerce	Moreno Valley	Walnut
Diamond Bar	Murrieta	West Covina
Duarte	Newport Beach	Wildomar

Visits and/or communications were conducted with elected officials or staff from the following State and Federal Offices:

- U.S. Senator Dianne Feinstein
- U.S. Congresswoman Judy Chu
- U.S. Congressman Duncan Hunter
- U.S. Congressman Kevin McCarthy
- U.S. Congressman Ed Royce
- U.S. Congressman Raul Ruiz
- U.S. Congressman Mark Takano
- U.S. Congresswoman Mimi Walters
- State Senator Ed Hernandez
- State Senator Bob Huff
- State Senator Carol Liu
- State Senator Mike Morrell
- State Senator Janet Nguyen
- State Senator Richard Roth
- State Senator Jeff Stone
- Assembly Member Ed Chau
- Assembly Member Tom Daly
- Assembly Member Eduardo Garcia

- Assembly Member Chris Holden
- Assembly Member Brian Jones
- Assembly Member Young Kim
- Assembly Member Eric Linder
- Assembly Member Chad Mayes
- Assembly Member Jose Medina
- Assembly Member Melissa Melendez
- Assembly Member Marie Waldron

Staff represented SCAQMD and/or provided updates or a presentation to the following governmental agencies and business organizations:

Arcadia Chamber of Commerce  
 Anaheim Chamber of Commerce  
 Banning Chamber of Commerce  
 Bear Valley California Chamber of Commerce  
 Chino Valley Chamber of Commerce  
 Colton Public Utilities  
 Coachella Valley Association of Governments  
 Governor Jerry Brown's Office of Planning & Research  
 Hemet/San Jacinto Valley Chamber of Commerce  
 Irwindale Chamber of Commerce  
 Indio Chamber of Commerce  
 Moreno Valley Chamber of Commerce  
 Orange County Council of Governments  
 Omnitrans, San Bernardino County  
 Riverside Transit Agency (RTA)  
 Riverside County Transportation Commission  
 Riverside County Active Transportation Network Organization  
 San Bernardino Associated Governments  
 San Fernando Council of Governments  
 San Gabriel Valley Economic Partnership  
 South Pasadena Chamber of Commerce  
 Southern California Black Chamber of Commerce  
 Southern California Gas Company  
 Southern California Association of Governments  
 Temecula Valley Chamber of Commerce  
 Southwest California Legislative Council

- Temecula Valley Chamber of Commerce
- Murrieta Chamber of Commerce
- Menifee Valley Chamber of Commerce
- Lake Elsinore Valley Chamber of Commerce
- Wildomar Chamber of Commerce
- Perris Valley Chamber of Commerce

Western Riverside Council of Governments  
Western Riverside County Transportation NOW (RTA)

- Greater Riverside Chapter
- Hemet/San Jacinto Chapter
- Moreno Valley/Perris Chapter
- San Gorgonio Pass Chapter
- Southwest Chapter

Yucaipa Chamber of Commerce

Staff represented SCAQMD and/or provided updates or a presentation to the following community groups and organizations:

American Lung Association in California, Inland Empire  
Banning Unified School District  
California Department of Health  
California State University, San Bernardino  
Cabazon Band of Mission Indians, Indio  
Coachella Valley Environmental Justice Enforcement Taskforce  
Coachella Valley Water District Board of Directors  
Desert Cahuilla Indians, Urban Conservation Corps  
Duarte Unified School District  
Eastern Municipal Water District, Riverside County  
Healthy Jurupa Valley Group  
Inland Empire Asthma Coalition  
Local Assistance Center, Porter Ranch  
Riverside County Department of Public Health  
Riverside County Health Coalition  
Riverside Better Breathers Club  
Pasadena Neighborhood Connections Community Alliance  
Save Porter Ranch Group, Los Angeles  
Salvation Army, Compton  
Salesian High School, Los Angeles  
Sierra Club, San Bernardino and Riverside Counties  
South Gate Environmental Health Assessment Team  
The California Endowment, Los Angeles  
Urban Conservation Corps of the Inland Empire  
University of California, Riverside  
YMCA GLA Digital Learning Academy, Los Angeles



[↑ Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 12

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of February 1 through February 29, 2016.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file this report.

Edward Camarena  
Chairman of Hearing Board

SM

---

Two summaries are attached: **Rules From Which Variances and Orders for Abatement Were Requested in 2016** and **February 2016 Hearing Board Cases**.

The total number of appeals filed during the period February 1 to February 29, 2016 is 1; and total number of appeals filed during the period of January 1 to February 29, 2016 is 1.

Rules from which Variances and Order for Abatements were Requested in 2016														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
<b># of HB Actions Involving Rules</b>														
109														0
109(c)														0
109(c)(1)														0
201														0
201.1														0
202														0
202(a)														0
202(b)														0
202(c)		1												1
203														0
203(a)			1											1
203(b)		4	3											7
204														0
208														0
218(c)(1)(B)(i)														0
218.1														0
218.1(b)(4)(C)														0
218(b)(2)														0
218(c)(1)(A)														0
218(d)(1)(A)														0
218(d)(1)(B)														0
219														0
219(s)(2)														0
221(b)			1											1
221(c)														0
221(d)			1											1
222														1
222(d)(1)(C)														0
222(e)(1)														0
401														0
401(b)														0
401(b)(1)														0
401(b)(1)(A)														0
401(b)(1)(B)														0
402		1	1											2
403														0
403(d)(1)														0
403(d)(1)(A)														0
404														0
404(a)														0
405														0
405(a)														0
405(b)														0
405(c)														0
407(a)														0
407(a)(1)														0
409														0

Rules from which Variances and Order for Abatements were Requested in 2016														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
410														0
430(b)(3)(A)(iv)														0
431.1														0
431.1														0
431.1(c)(1)														0
431.1(c)(2)														0
431.1(c)(3)(C)														0
431.1(d)(1)														0
431.1(d)(1), Att A(1)														0
442														0
444														0
444(a)														0
444(c)														0
444(d)														0
461														0
461(c)(1)														0
461(c)(1)(A)														0
461(c)(1)(B)														0
461(c)(1)(C)														0
461(c)(1)(E)														0
461(c)(1)(F)(i)														0
461(c)(1)(F)(iv)														0
461(c)(1)(F)(v)														0
461(c)(1)(H)														0
461(c)(2)														0
461(c)(2)(A)														0
461(c)(2)(B)														0
461(c)(2)(C)														0
461(c)(3)														0
461(c)(3)(A)														0
461(c)(3)(B)														0
461(c)(3)(C)														0
461(c)(3)(D)(ii)														0
461(c)(3)(E)														0
461(c)(3)(H)														0
461(c)(3)(M)														0
461(c)(4)(B)														0
461(c)(4)(B)(ii)														0
461(d)(5)(A)														0
461(e)(1)														0
461(e)(2)														0
461(e)(2)(A)														0
461(e)(2)(A)(i)														0
461(e)(2)(B)(i)														0
461(e)(2)(C)														0
461(e)(3)														0
461(e)(3)(A)														0
461(e)(3)(C)(i)(l)														0

Rules from which Variances and Order for Abatements were Requested in 2016														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
461(e)(3)(D)														0
461(e)(3)(E)														0
461(e)(5)		1												1
461(e)(7)														0
462														0
462(c)(4)(B)(i)														0
462(c)(7)(A)(ii)														0
462(d)														0
462(d)(1)														0
462(d)(1)(A)														0
462(d)(1)(A)(i)														0
462(d)(1)(B)														0
462(d)(1)(C)														0
462(d)(1)(E)(ii)														0
462(d)(1)(F)														0
462(d)(1)(G)														0
462(d)(5)														0
462(e)(1)														0
462(e)(1)(E)														0
462(e)(1)(E)(ii)														0
462(e)(1)(E)(i)(II)														0
462(e)(2)(A)(i)														0
462(e)(4)														0
462(h)(1)														0
463														0
463(c)														0
463(c)(1)														0
463(c)(1)(A)(I)-(iv)														0
463(c)(1)(B)														0
463(c)(1)(C)														0
463(c)(1)(D)														0
463(c)(1)(E)														0
463(c)(2)														0
463(c)(2)(B)														0
463(c)(2)(C)														0
463(c)(3)														0
463(c)(3)(A)														0
463(c)(3)(B)														0
463(c)(3)(C)														0
463(d)														0
463(d)(2)														0
463(e)(3)(C)														0
463(e)(4)														0
463(e)(5)(C)														0
464(b)(1)(A)														0
464(b)(2)														0
468														0
468(a)														0

Rules from which Variances and Order for Abatements were Requested in 2016														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
468(b)														0
1102														0
1102(c)(2)														0
1102(e)(1)														0
1102(f)(1)														1
1105.1														0
1105.1(d)(1)														0
1105.1(d)(1)(A)(iii)														0
1106(c)(1)														0
1106.1(c)(1)														0
1106.1(c)(1)(A)														0
1107(c)(1)														0
1107(c)(2)														0
1107(c)(7)														0
1107														0
1110.1														0
1110.2														0
1110.2(c)(14)														0
1110.2(d)														0
1110.2(d)(1)(A)														0
1110.2(d)(1)(B)														0
1110.2(d)(1)(B)(iii)														0
1110.2(d)(1)(D)														0
1110.2(d)(1)(E)														0
1110.2(e)(1)(A)														0
1110.2(e)(1)(B)(i)(II)														0
1110.2(e)(1)(B)(i)(III)														0
1110.2(e)(4)(B)														0
1110.2(f)														0
1110.2(f)(1)(A)														0
1110.2(f)(1)(c)														0
1113(c)(2)														0
1113(d)(3)														0
1118(c)(4)														0
1118(c)(5)														0
1118(d)(1)(2)														0
1118(d)(1)(2)														0
1118(d)(2)														0
1118(d)(3)														0
1118(d)(4)(B)														0
1118(d)(5)(A)														0
1118(d)(5)(B)														0
1118(d)(10)														0
1118(d)(12)														0
1118(e)														0
1118(f)(1)(C)														0
1118(g)(1)													1	0
1118(g)(3)														0

Rules from which Variances and Order for Abatements were Requested in 2016														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
1118(g)(5)			1											1
1118(g)(5)(A)														0
1118(i)(5)(B)(i)														0
1118(i)(5)(B)(ii)														0
1118(j)(1)(A)(ii)														0
1118(j)(1)(B)(ii)														0
1118(j)(1)(C)														0
1121(c)(2)(C)														0
1121(c)(3)														0
1121(c)(6)														0
1121(c)(7)														0
1121(c)(8)														0
1121(e)(3)														0
1121(h)														0
1121(h)(1)														0
1121(h)(2)														0
1121(h)(3)														0
1122(c)(2)(A)														0
1122(c)(2)(E)														0
1122(d)(1)(A)														0
1122(d)(1)(B)														0
1122(d)(3)														0
1122(e)(2)(A)														0
1122(e)(2)(B)														0
1122(e)(2)(C)														0
1122(e)(2)(D)														0
1122(e)(3)														0
1122(e)(4)(A)														0
1122(e)(4)(B)														0
1122(g)(3)														0
1122(j)														0
1124														0
1124(c)(1)(A)														0
1124(c)(1)(E)														0
1124(c)(4)(A)														0
1125(c)(1)														0
1125(c)(1)(C)														0
1125(d)(1)														0
1128(c)(1)														0
1128(c)(2)														0
1130														0
1130(c)(1)														0
1130(c)(4)														0
1131														0
1131(d)														0
1132(d)(2)														0
1132(d)(3)														0
1133(d)(8)														0

Rules from which Variances and Order for Abatements were Requested in 2016														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
1133.2(d)(8)														0
1134(c)														0
1134(c)(1)														0
1134(d)														0
1134(d)(1)														0
1134(d)(2)(B)(ii)														0
1134(f)														0
1134(g)(2)														0
1135(c)(3)														0
1135(c)(3)(B)														0
1135(c)(3)(C)														0
1135(c)(4)														0
1135(c)(4)(D)														0
1136														0
1136(c)(1)(A)(i)														0
1137(d)(2)														0
1145														0
1145(c)(1)														0
1145(c)(2)														0
1145(g)(2)														0
1145(h)(1)(E)														0
1146														1
1146(c)(1)(A)														0
1146(c)(1)(G)														2
1146(c)(1)(I)														1
1146(c)(2)														0
1146(c)(2)(A)														0
1146(d)(8)														0
1146.1														0
1146.1(a)(2)														0
1146.1(a)(8)														0
1146.1(b)(3)														0
1146.1(c)(1)														0
1146.1(c)(2)														0
1146.1(d)(4)														0
1146.1(d)(6)														0
1146.1(e)(1)														0
1146.1(e)(1)(B)														0
1146.1(e)(2)														0
1146.2														0
1146.2(c)(1)														0
1146.2(c)(4)														0
1146.2(c)(5)														0
1146.2(e)														0
1147														0
1147(c)(1)														0
1147(c)(10)														0
1147(c)(14)(A)														0

Rules from which Variances and Order for Abatements were Requested in 2016														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
1147(c)(14)(B)														0
1150.1(d)(1)(C)(i)														0
1150.1(d)(4)														0
1150.1(d)(5)														0
1150.1(d)(10)														0
1150.1(d)(11)														0
1150.1(d)(12)														0
1150.1(d)(13)														0
1150.1(d)(14)														0
1150.1(e)(1)														0
1150.1(e)(2)														0
1150.1(e)(3)														0
1150.1(e)(1)(B)(C)														0
1150.1(e)(1)(C)														0
1151.1(e)(2)(B)(C)														0
1150.1(e)(2)(C)														0
1150.1(e)(3)(B)														0
1150.1(e)(3)(B)(C)														0
1150.1(e)(3)(C)														0
1150.1(e)(4)														0
1150.1(e)(6)(A)(I)														0
1150.1(e)(6)(A)(ii)														0
1150.1(f)(1)(A)(iii)(I)														0
1150.1(f)(1)(H)(i)														0
1151														0
1151(c)(8)														0
1151(2)														0
1151(5)														0
1151(d)(1)														0
1151(e)(1)														0
1151(e)(2)														0
1151(f)(1)														0
1153(c)(1)														0
1153(c)(1)(B)														0
1156(d)(5)(C)(i)														0
1158														0
1158(d)(2)														0
1158(d)(5)														0
1158(d)(7)														0
1158(d)(7)(A)(ii)														0
1158(d)(10)														0
1164(c)(1)(B)														0
1164(c)(2)														0
1166(c)(2)														0
1166(c)(2)(F)														0
1166, Part 12														0
1168														0
1168(c)(1)														0



Rules from which Variances and Order for Abatements were Requested in 2016														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
1169(c)(13)(ii)														0
1171														0
1171(c)														0
1171(c)(1)														0
1171(c)(1)(A)(i)														0
1171(c)(1)(b)(i)														0
1171(c)(4)														0
1171(c)(5)														0
1171(c)(5)(A)(i)														0
1171(c)(6)														0
1173														0
1173(c)														0
1173(d)														0
1173(e)(1)														0
1173(f)(1)(B)														0
1173(g)(1)		1	1											2
1175														0
1175(c)(2)														0
1175(c)(4)(B)														0
1175(c)(4)(B)(i)														0
1175(c)(4)(B)(ii)														0
1175(c)(4)(B)(ii)(I)														0
1175(b)(1) (C)														0
1175(d)(4)(ii)(II)														0
1176														0
1176(e)														0
1176(e)(1)														0
1176(e)(2)														0
1176(e)(2)(A)														0
1176(e)(2)(A)(i)														0
1176(e)(2)(B)(v)														0
1176(f)(3)														0
1177(d)(2)(D)														0
1178(d)(1)(A)(xiii)														0
1178(d)(1)(A)(xiv)														0
1178(d)(1)(B)														0
1178(d)(1)(C)														0
1178(d)(3)(C)														0
1178(d)(3)(D)														0
1178(d)(3)(E)														0
1178(d)(4)(A)(i)														0
1178(g)														0
1186.1														0
1186.1														0
1189(c)(3)														0
1195														0
1195(d)(1)(D)														0
1303(a)														0

Rules from which Variances and Order for Abatements were Requested in 2016														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
1303(a)(1)														0
1303(b)(1)														0
1401														0
1401(d)														0
1401(d)(1)(A)														0
1401(d)(1)(B)														0
1405(d)(3)(C)														0
1407(d)														0
1407(d)(1)														0
1407(d)(2)														0
1407(d)(5)														0
1407(f)(1)														0
1415(d)(3)														0
1418(d)(2)(A)														0
1420(d)(1)														0
1420.1(d)				1										1
1420.1(f)(3)														0
1420.1(g)(4)														0
1420.1(k)(13)(B)														0
1420.2(e)(1)(A)		1												1
1420.2(f)(1)		1												1
1420.2(f)(3)		1												1
1420.2(j)(2)		1												1
1421(d)(3)(A)														0
1421(e)(2)(c)														0
1421(e)(1)(A)(vii)														0
1421(e)(3)(B)														0
1421(h)(1)(A)														0
1421(h)(1)(B)														0
1421(h)(1)(C)														0
1421(h)(1)(E)														0
1421(h)(3)														0
1421(i)(1)(C)														0
1425(d)(1)(A)														0
1469														0
1469(c)														0
1469(c)(8)														0
1469(c)(11)(A)														0
1469(c)(13)(ii)														0
1469(d)(5)														0
1469(e)(1)														0
1469(e)(7)														0
1469(g)(2)														0
1469(h)														0
1469(l)														0
1469(j)(4)(A)														0
1469(j)(4)(D)														0
1469(k)(3)(A)														0

Rules from which Variances and Order for Abatements were Requested in 2016														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
1470														0
1470(c)(2)(C)(i)(I)														0
1470(c)(2)(C)(iv)														0
1470(c)(3)(B)(ii)														0
1470(c)(3)(C)(iii)														0
1470(c)(4)														0
1470(c)(4)(B)														0
1470(c)(5)														0
1470(d)(2)(B)														0
1470(e)(2)(A)														0
2004(c)(1)														0
2004(c)(1)(C)														0
2004(f)(1)		2	2											4
2004(f)(2)														0
2004(k)														0
2005														0
2009(b)(2)														0
2009(c)														0
2009(f)(1)														0
2009(f)(2)														0
2009.1														0
2009.1(c)														0
2009.1(f)(1)														0
2009.1(f)(2)														0
2009.1(f)(3)														0
2011														0
2011 Attachment C														0
2011(c)(2)														0
2011(c)(2)(A)														0
2011(c)(2)(B)														0
2011(c)(3)(A)														0
2011(e)(1)														0
2011(f)(3)														0
2011(g)														0
2011(g)(1)														0
2011(k)														0
2011(k) Appen. A, Chap. 2, except E & Attach C														0
2011(k) Appen. A, Chap. 2, Section A.3 a-c, A.5 and B. 1-4 and Appen. A, Chap. 2, Section C.2.a, c & d														0
2011, Appen. A, Attach. C, Section B.2.a.														0
2012 Chapter 2														0
2012 Attach. C, B.2.a														0
2012 Appen. A, Attach. C, Section B.2.														0
2012 Appen. A, Attach. C, Section B.2.a. & b.														0
2012 Appen. A														0
2012 Appen. A, Chap. 2														0
2012 Appen A, Chap. 2, Sec. A														0
2012 Appen A. Chap. 2. Sec. A(1)														0

Rules from which Variances and Order for Abatements were Requested in 2016														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
2012 Appen A, Chap. 2, Sec. B														0
2012, Appen. A, Protocol 2012, Chap. 2, B.5.														0
2012, Appen A, Chap. 2, B.5.a														0
2012, Appen A, Chap. 2, B.10														0
2012, Appen A, Chap. 2, B.11														0
2012, Appen A, Chap. 2, B.12														0
2012, Appen A, Chap. 2, B.17														0
2012, Appen A, Chap.2, B.18														0
2012, Appen A, Chap.2, B.20														0
2012, Chapter 2, E.2.b.i.														0
2012, Chapter 2, E.2.b.ii.														0
2012 Appen A, Chap. 4.A.4														0
2012(B)(5)(e)														0
2012(c)(2)(A)		1												1
2012(c)(2)														0
2012(c)(3)														0
2012(c)(3)(A)														0
2012(c)(3)(B)														0
2012(c)(10)														0
2012(d)(2)														0
2012(d)(2)(A)														0
2012(d)(2)(D)														0
2012(f)(2)(A)														0
2012(g)(1)		1												1
2012(g)(3)														0
2012(g)(7)														0
2012(h)(3)														0
2012(h)(4)														0
2012(h)(5)														0
2012(h)(6)														0
2012(i)														0
2012(j)(1)														0
2012(j)(2)														0
2012, Protocol (Appen. A) Chap. 2, Part A.1.a														0
2012, Protocol (Appen. A) Chap. 2, Part B.4														0
2012, Protocol, (Appen A) Chap. 2, Part B.5.e														0
2012 Chapter 2, B.5.f														0
2012(m)														0
2012(m) Table 2012-1, and Appen. A, Chp 2, & Attachment C														0
2012(m) Appen. A, Attach. C														0
2012(m) Appen. A, Chap. 2, Sections 2.A.1 a-c, e.g, and B. 1-4 and Appendix A, Chapter 3, Section C.2 a, c & d														0
2012(m) Appen. A, Chap 3, Section (A)(6)														0
2012(m) Appen. A, Chap 5, Para G, Table 5B and Att. D														0
2202														0
3002														0
3002(c)														0
3002(c)(1)		2	3											5

Rules from which Variances and Order for Abatements were Requested in 2016														
	2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Actions
3002(c)(2)														0
3004														0
Regulation II														0
Regulation IX														0
Regulation IX, 40 CFR Part 60, Subpart J														0
Regulation XI														0
Regulation XIII														0
H&S 39152(b)														0
H&S 41510														0
H&S 41700		1	1											2
H&S 41701														0
H&S 93115.6(c)(2)(C)(1)														0
H&S 42303														0
Title 13 Code of Regulations §2452														0

## Report of February 2016 Hearing Board Cases

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Air Liquide Large Industries U.S. LP Case No. 5705-4 (N. Sanchez)	203(b) 1173(g)(1) 2004(f)(1) 3002(c)(1)	Leaking pressure safety valve serving hydrogen production equipment cannot be repaired within one day grace period.	Not Opposed/Granted	SV granted commencing 2/2/16 and continuing through 4/13/16.	VOC & CO: TBD by 2/19/16
2. ExxonMobil Oil Corporation Case No. 1183-493 (R. Fernandez)	203(b) 221(b) 221(d) 1118(g)(1) 1118(g)(5) 2004(f)(1) 3002(c)(1)	Flare monitoring system failed.	Not Opposed/Granted	Ex Parte EV and AOC granted commencing 2/2/16 and continuing for 30 days or until the EV hearing currently scheduled for 2/10/16, whichever comes first.	None
3. Inland Empire Utilities Agency (IEUA) Case No. 5209-5 (N. Feldman)	203(b) 3002(c)(1)	Flare serving anaerobic digester failed source test.	Opposed/Dismissed	EV dismissed for lack of good cause.	N/A
4. SCAQMD vs. Exide Technologies, Inc. Case No. 3151-32 (N. Feldman)	1420.1(d)	Status report and clarification of payment responsibilities for third party testing.	Stipulated/Issued	Mod. O/A issued commencing 2/6/16 and continuing through 12/31/16. The Hearing Board shall retain jurisdiction over this matter until the earlier of (1) SCAQMD approval of 1420.1 closure plan; (2) December 31, 2016; or (3) initiation of approved DTSC Closure Plan, which requires a third party Dust Mitigation Oversight contractor.	N/A
5. SCAQMD vs. Hughes Bros. Aircrafters, Inc. Case No. 6037-1 (Consent Calendar; No Appearance)	203(a)	Respondent operating noncompliant diesel engine.	Stipulated/Issued	O/A issued commencing 2/2/16 and continuing until 6/1/16. The Hearing Board shall retain jurisdiction over this matter until 6/1/16.	N/A

Case Name and Case No.	Rules	Reason for Petition	District Position/ Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
6. SCAQMD vs. Southern California Gas Company Case No. 137-76 (N. Sanchez)	402 H & S § 41700	Status Report and Modification of O/A.	Stipulated/Issued	Mod. O/A issued commencing 2/24/16 and continuing through 1/31/17. The Hearing Board shall retain jurisdiction over this matter until 1/31/17.	N/A

### Acronyms

AOC: Alternative Operating Conditions  
 BACT: Best Available Control Technology  
 CEMS: Continuous Emissions Monitoring System  
 CO: Carbon Monoxide  
 DPF: Diesel Particulate Filter  
 EV: Emergency Variance  
 FCD: Final Compliance Date  
 GDF: Gasoline Dispensing Facility  
 H<sub>2</sub>S: Hydrogen Sulfide  
 H&S: Health & Safety Code  
 ICE: Internal Combustion Engine  
 I/P: Increments of Progress  
 IV: Interim Variance  
 MFCD/EXT: Modification of a Final Compliance Date and Extension of a Variance  
 Mod. O/A: Modification of an Order for Abatement  
 NH<sub>3</sub>: Ammonia  
 NOV: Notice of Violation  
 NO<sub>x</sub>: Oxides of Nitrogen  
 N/A: Not Applicable  
 O/A: Order for Abatement  
 PM: Particulate Matter  
 PPM: Parts Per Million  
 RATA: Relative Accuracy Test Audit  
 ROG: Reactive Organic Gases  
 RTO: Regenerative Thermal Oxidizer  
 RV: Regular Variance  
 SCE: Southern California Edison  
 SCR: Selective Catalytic Reduction  
 SO<sub>2</sub>: Sulfur Dioxide  
 SO<sub>x</sub>: Oxides of Sulfur  
 SV: Short Variance

TBD: To be determined  
 VOC: Volatile Organic Compound

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 13

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from February 1 through February 29, 2016, and legal actions filed the General Counsel's Office from February 1 through February 29, 2016. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, March 18, 2016, Reviewed

RECOMMENDED ACTION:

Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

---

Violations

Civil Actions Filed

- |   |  |
|---|--|
| 6 | SALEH OMAR dba SUPER 8 GAS CORPORATION<br>Orange County Superior Court<br>Case Number: 30-2016-00835341; Filed: 2.16.16 (NSF)<br>P59763, P59768, P59770, P61690, P61693, P61695<br>R. 203 – Permit to Operate<br>R 206 – Posting of Permit to Operate<br>R. 461 – Gasoline Transfer and Dispensing |
| 1 | CENTURY QUALITY MANAGEMENT<br>Los Angeles Superior Court - Alhambra Courthouse<br>Case Number: KC068220; Filed: 2.4.16 (PH)<br>P53988<br>Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities  |



- 1 AHMED FAYAD dba 66 BELL GARDENS  
Los Angeles Superior Court - Downey Courthouse  
Case Number: 16D01794; Filed: 2.23.16 (PH)  
P61973  
R. 203 – Permit to Operate
- 1 ABDUL RAUF PATEL dba VIP CLEANERS  
Los Angeles Superior Court - Inglewood Courthouse  
Case Number: 16S01449; Filed: 2.24.16 (PH)  
P60136  
R. 203 – Permit to Operate  
Rule 1421– Control of Perchloroethylene Emissions from Dry Cleaning  
Operations
- 1 BIJAN RADNIA dba WILMINGTON PARK, INC.  
Los Angeles Superior Court - Downey Courthouse  
Case Number: 16D01793; Filed: 2.23.16 (PH)  
P60840  
R. 461 – Gasoline Transfer and Dispensing

5 Cases

10 Violations

**Attachments**

February 2016 Penalty Report

Index of District Rules and Regulations

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
General Counsel's Office**

**February 2016 Settlement Penalty Report**

**Total Penalties**

<b>Civil Settlements:</b>	<b>\$60,750.00</b>
<b>MSPAP Settlements:</b>	<b>\$9,745.00</b>
<b>Miscellaneous Settlement:</b>	<b>\$5,491.17</b>
<b>Total Cash Settlements:</b>	<b>\$75,986.17</b>
<b>Total SEP Value:</b>	<b>\$0.00</b>
<b>Fiscal Year through February 2016 Cash Total:</b>	<b>\$1,947,213.17</b>
<b>Fiscal Year through February 2016 SEP Value Only Total:</b>	<b>\$0.00</b>

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
<b>CIVIL SETTLEMENTS:</b>						
122666	A'S MATCH DYEING & FINISHING	204, 204(D) 203 (A), 204, 204(F)(1), 2012 2004 2004	2/18/2016	NSF	P62801 P57648 P62056 P55671	\$32,500.00
1073	BORAL ROOFING LLC	1155, 204(F)(1), 3002(C)(1) 2004	2/11/2016	BTG	P57642 P55546	\$7,500.00
180324	DON MCCOY CORPORATION \$2,500 suspended from 2/26/16 through 2/26/17 if no NOV is issued to the facility for violation of Rule 403. If in violation of Rule 403, then \$2,500 will be due in full and shall be in addition to any civil penalty for the NOV triggering such payment.	403	2/23/2016	MJR	P59525	\$2,500.00
12876	FOAM FABRICATORS	1175, 3002(C)(1)	2/25/2016	RRF	P61505	\$1,500.00
179210	GARY SWANSON	1403	2/25/2016	WBW	P61115	\$2,500.00
125015	LOS ANGELES TIMES COMMUNICATIONS	2004, 2012, 2012(E)(2)(B) 2004 2004, 2012	2/25/2016	RRF	P59377 P53146 P54974	\$10,000.00
167111	METRO GAS COMPANY, INC.	203 (B), 41960.2 461(C), 461(C)(2)(B), 461(E)(2) 203(B), 461 461(E)(2), 461(C)(2)(B) 461(C), 461(C)(2)(B), 41960.2	2/18/2016	NSF	P61975  P61977  P61966	\$2,500.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
177591	RODOLFO OLGUIN	1403	2/25/2016	RRF	P53084	\$1,000.00
36412	VILLAGE CAR WASH Small Claims	461	2/3/2016	PH3	P59764	\$750.00
<b>TOTAL CIVIL SETTLEMENTS:</b>						<b>\$60,750.00</b>
<b>MSPAP SETTLEMENTS:</b>						
140836	ALISO VIEJO AUTO CARE INC.	203(B), 461(E)(2)(A)	2/3/2016		P63012	\$1,350.00
180111	APRO, LLC DBA 76 FUEL #5945	461(C), 461(C)(2)(B)	2/18/2016		P63017	\$550.00
130741	ARCO FAC #01661 - NAZIR JIVANI	461(C)(2)(B)	2/3/2016		P61687	\$400.00
149033	BOUTROS SHELL	461(C), 461(C)(2)(B), 41960.2 41954	2/11/2016		P61983	\$600.00
47212	CHEVRON DLR, FAWAZ R ELMASRI	461(E)(5)	2/3/2016		P64265	\$1,170.00
117076	EQUILON DLR, SHELL STN, VALLEY INC.	461(E)(2)(A)	2/3/2016		P63014	\$375.00
18524	FOASBERG LAUNDRY & CLEANERS INC.	203 (A)	2/24/2016		P56990	\$400.00
13510	HOSPITAL OF THE GOOD SAMARITAN	203(B), 1470	2/24/2016		P62489	\$500.00
164968	L.A.N. TESTING	461(C)(2)(B)	2/11/2016		P62349	\$950.00
148449	MARINA DEL REY QUALITY CLEANERS	1146.2	2/24/2016		P63650	\$100.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
133877	MIKE'S AUTO SERVICE	461(C)	2/11/2016		P60945	\$1,100.00
170155	NATIONAL PACIFIC PETROLEUM INC.	461(C), 461(C)(2)(B), 41960.2 41954	2/3/2016		P64251	\$550.00
50300	PARALLEL PRODUCTS	203 (B)	2/24/2016		P63953	\$1,100.00
142972	PROFESSIONAL CLEANERS, JAY HONG	1421	2/24/2016		P63702	\$200.00
170326	SAM PETROLEUM TWO INC.	461(C), 41960.2	2/3/2016		P61257	\$400.00

**TOTAL MSPAP SETTLEMENTS: \$9,745.00**

**MISCELLANEOUS SETTLEMENTS:**

16889	DANISH CLEANERS P35962 and P35985 were settled for \$3,000 in 2006. Facility failed to pay and a Judgment was entered. On 2/2/16, escrow company made contact to pay off lien. Payoff included an accumulated interest of \$5,491.17.	203, 1421	2/24/2016		MIS158	\$5,491.17
-------	--	-----------	-----------	--	--------	------------

## DISTRICT RULES AND REGULATIONS INDEX FOR FEBRUARY 2016 PENALTY REPORTS

### REGULATION II – PERMITS

List and Criteria Identifying Information Required of Applicants Seeking A Permit to Construct from the South Coast Air Quality Management - District (*Amended 4/10/98*)

Rule 203 Permit to Operate (*Amended 1/5/90*)

### REGULATION IV - PROHIBITIONS

Rule 403 Fugitive Dust (*Amended 12/11/98*) *Pertains to solid particulate matter emitted from man-made activities.*

Rule 461 Gasoline Transfer and Dispensing (*Amended 6/15/01*)

### REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1146.2 Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers (*Adopted 1/9/98*)

Rule 1155 Particulate Matter Control Devices (10-08)

Rule 1175 Control of Emissions from the Manufacture of Polymeric Cellular (Foam) Products (*Amended 5/13/94*)

### REGULATION XIV – TOXICS

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities (*Amended 4/8/94*)

Rule 1421 Control of Perchloroethylene Emissions from Dry Cleaning Operations (*Amended 6/13/97*)

Rule 1470 Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines

### REGULATION XX REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 Requirements (*Amended 5/11/01*)

Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions  
(*Amended 5/11/01*)

### REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements (*Amended 11/14/97*)

### CALIFORNIA HEALTH AND SAFETY CODE § 41700

41954 Compliance for Control of Gasoline Vapor Emissions

41960.2 Gasoline Vapor Recovery

[↑ Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 14

REPORT: Lead Agency Projects and Environmental Documents Received By SCAQMD

SYNOPSIS: This report provides, for the Board's consideration, a listing of CEQA documents received by the SCAQMD between February 1, 2016 and February 29, 2016, and those projects for which the SCAQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, March 18, 2016, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Michael B. O'Kelly  
Acting Executive Officer

PF:JW:IM:JW:AK

---

**CEQA Document Receipt and Review Logs (Attachments A and B)** – Each month, the SCAQMD receives numerous CEQA documents from other public agencies on projects that could adversely affect air quality. A listing of all documents received and reviewed during the reporting period of between February 1, 2016 and February 29, 2016 is included in Attachment A. A list of active projects from previous reporting periods for which SCAQMD staff is continuing to evaluate or has prepared comments is included in Attachment B.

The Intergovernmental Review function, which consists of reviewing and commenting on the adequacy of the air quality analysis in CEQA documents prepared by other lead agencies, is consistent with the Board's 1997 Environmental Justice Guiding Principles and Environmental Justice Initiative #4. Furthermore, as required by the Environmental Justice Program Enhancements for FY 2002-03 approved by the Board in October 2002, each of the attachments notes those proposed projects where the SCAQMD has been contacted regarding potential air quality-related environmental justice concerns. The SCAQMD has established an internal central contact to receive information on projects

with potential air quality-related environmental justice concerns. The public may contact the SCAQMD about projects of concern by the following means: in writing via fax, email, or standard letters; through telephone communication; as part of oral comments at SCAQMD meetings or other meetings where SCAQMD staff is present; or by submitting newspaper articles. The attachments also identify for each project the dates of the public comment period and the public hearing date, if applicable, as reported at the time the CEQA document is received by the SCAQMD. Interested parties should rely on the lead agencies themselves for definitive information regarding public comment periods and hearings as these dates are occasionally modified by the lead agency.

At the January 6, 2006 Board meeting, the Board approved the Workplan for the Chairman's Clean Port Initiatives. One action item of the Chairman's Initiatives was to prepare a monthly report describing CEQA documents for projects related to goods movement and to make full use of the process to ensure the air quality impacts of such projects are thoroughly mitigated. In response to describing goods movement, CEQA documents (Attachments A and B) are organized to group projects of interest into the following categories: goods movement projects; schools; landfills and wastewater projects; airports; and general land use projects, etc. In response to the mitigation component, guidance information on mitigation measures were compiled into a series of tables relative to: off-road engines; on-road engines; harbor craft; ocean-going vessels; locomotives; fugitive dust; and greenhouse gases. These mitigation measure tables are on the CEQA webpages portion of the SCAQMD's website. Staff will continue compiling tables of mitigation measures for other emission sources, including airport ground support equipment, etc.

As resources permit, staff focuses on reviewing and preparing comments for projects: where the SCAQMD is a responsible agency; that may have significant adverse regional air quality impacts (e.g., special event centers, landfills, goods movement, etc.); that may have localized or toxic air quality impacts (e.g., warehouse and distribution centers); where environmental justice concerns have been raised; and those projects for which a lead or responsible agency has specifically requested SCAQMD review. If the SCAQMD staff provided written comments to the lead agency as noted in the column "Comment Status," there is a link to the "SCAQMD Letter" under the Project Description. In addition, if the SCAQMD staff testified at a hearing for the proposed project, a notation is provided under the "Comment Status." If there is no notation, then SCAQMD staff did not provide testimony at a hearing for the proposed project.



During the period February 1, 2016 through February 29, 2016, the SCAQMD received 94 CEQA documents. Of the total of 104 documents\* listed in Attachments A and B:

- 29 comment letters were sent;
- 37 documents were reviewed, but no comments were made;
- 23 documents are currently under review;
- 4 documents did not require comments (e.g., public notices, plot plans, Final Environmental Impact Reports);
- 0 documents were not reviewed; and
- 11 documents were screened without additional review.

\* These statistics are from February 1, 2016 to February 29, 2016 and may not include the most recent “Comment Status” updates in Attachments A and B.

Copies of all comment letters sent to lead agencies can be found on the SCAQMD’s CEQA webpage at the following internet address:

<http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>.

**SCAQMD Lead Agency Projects (Attachment C)** – Pursuant to CEQA, the SCAQMD periodically acts as lead agency for stationary source permit projects. Under CEQA, the lead agency is responsible for determining the type of CEQA document to be prepared if the proposal is considered to be a “project” as defined by CEQA. For example, an Environmental Impact Report (EIR) is prepared when the SCAQMD, as lead agency, finds substantial evidence that the proposed project may have significant adverse effects on the environment. Similarly, a Negative Declaration (ND) or Mitigated Negative Declaration (MND) may be prepared if the SCAQMD determines that the proposed project will not generate significant adverse environmental impacts, or the impacts can be mitigated to less than significance. The ND and MND are written statements describing the reasons why proposed projects will not have a significant adverse effect on the environment and, therefore, do not require the preparation of an EIR.

Attachment C to this report summarizes the active projects for which the SCAQMD is lead agency and is currently preparing or has prepared environmental documentation. As noted in Attachment C, the SCAQMD continued working on the CEQA documents for four active projects during February.

### **Attachments**

- A. Incoming CEQA Documents Log
- B. Ongoing Active Projects for Which SCAQMD Has or Will Conduct a CEQA Review
- C. Active SCAQMD Lead Agency Projects







**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
FEBRUARY 1, 2016 TO FEBRUARY 29, 2016**

SCAQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Industrial and Commercial</i> <b>LAC160209-06</b> Development Plan Approval Case No. 905	The proposed project consists of allowing the installation of a new rail spur track and construction of an approximately 11,440-square-foot containment basin to house a total of 29 new above-ground food grade chemical storage tanks ranging from 1,000 gallons to 30,000 gallons in capacity, install new landscaping and fencing to help screen the proposed tanks, and re-configure the existing on-site parking and circulation. The project is located at 9051 Sorensen Avenue.  Comment Period: N/A Public Hearing: 2/17/2016	Notice of a Public Hearing	City of Santa Fe Springs	Document reviewed - No comments
<i>Industrial and Commercial</i> <b>LAC160223-04</b> Storquest Gardena	The proposed project consists of the development of a 131,752-square-foot self-storage facility located at 14215 S. Normandie Avenue on a 1.24-acre site.  Comment Period: 2/22/2016 - 3/12/2016 Public Hearing: N/A	Draft Mitigated Negative Declaration	City of Gardena	Document reviewed - No comments
<i>Industrial and Commercial</i> <b>LAC160224-02</b> Channel 35 Studio Relocation Project	The proposed project consists of the rehabilitation of the existing Merced Theatre and Masonic Hall for Los Angeles City View Channel 35 studio use and complete a coordinated structural retrofit to the Merced Theatre, Masonic Hall and Pico House. The project is located at 424 North Main Street.  Comment Period: 2/25/2016 - 3/16/2016 Public Hearing: N/A	Notice of Availability of a Draft Mitigated Negative Declaration	City of Los Angeles	Document reviewed - No comments
<i>Industrial and Commercial</i> <b>SBC160224-01</b> City HUB Center at Valley and Pepper	The proposed project consists of the development of a new commercial center that includes a full service 6,000 square-foot restaurant, a quick service restaurant, 9,000 square feet of retail space, a service station with a convenience market and carwash and a four-story 90-room hotel.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/march/NDcoltoncityhub.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/march/NDcoltoncityhub.pdf</a> Comment Period: 2/22/2016 - 3/14/2016 Public Hearing: N/A	Draft Mitigated Negative Declaration	City of Colton	SCAQMD staff commented on 3/11/2016
<i>Waste and Water-related</i> <b>LAC160211-02</b> Leahy Avenue Well	The proposed project consists of a request for Conditional Use Permit to allow a groundwater well and a 1,470-square-foot pump house on the 12,474-square-foot property at 14742 Leahy Avenue.  Comment Period: 2/11/2016 - 3/14/2016 Public Hearing: N/A	Draft Mitigated Negative Declaration	City of Bellflower	Document reviewed - No comments

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.



**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
FEBRUARY 1, 2016 TO FEBRUARY 29, 2016**

<u>SCAQMD LOG-IN NUMBER</u> PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> <b>SBC160216-05</b> The Preserve/ Prado Sewer Improvements Project	The proposed project consists of the construction of new sewage conveyance facilities so that existing sewage flows from the Preserve Specific Plan Area that are temporarily connected to the Inland Empire Brine Line can be conveyed to the Inland Empire Utilities Agency Regional Plant 5. A new pump station will be located at the existing dechlorination facility. The project is located within the Preserve Specific Plan Area off of Johnson Avenue, South of Pine Avenue and adjacent to the Prado Regional Park.  Comment Period: 2/16/2016 - 3/16/2016 Public Hearing: 3/21/2016	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Chino	Document reviewed - No comments
<i>Utilities</i> <b>LAC160210-04</b> Master Case No. 15-216	The proposed project consists of a Conditional Use Permit and Development Review for the construction of a wireless communications facility located at 20660 Plum Canyon Road, in the community of Saugus.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/february/mndcell15-216.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/february/mndcell15-216.pdf</a> Comment Period: 2/9/2016 - 3/1/2016 Public Hearing: N/A	Draft Negative Declaration	City of Santa Clarita	SCAQMD staff commented on 2/12/2016
<i>Utilities</i> <b>LAC160210-05</b> Wiley Canyon Wireless Communications Facility	The proposed project consists of requesting a Conditional Use Permit and Development Review for the construction of a wireless communications facility located at 24640 Wiley Canyon Road in the City of Newhall.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/february/mndcell15-197.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/february/mndcell15-197.pdf</a> Comment Period: 2/9/2016 - 3/1/2016 Public Hearing: N/A	Draft Negative Declaration	City of Santa Clarita	SCAQMD staff commented on 2/12/2016
<i>Utilities</i> <b>RVC160202-08</b> SCE's Proposed Valley South Subtransmission Project	The proposed project consists of a new 115-kilovolt subtransmission line extending approximately 15.4 miles from the Southern California Edison (SCE) Valley Substation in the City of Menifee to a point west of the SCE Triton Substation in the City of Temecula.  Comment Period: 1/29/2016 - 3/4/2016 Public Hearing: N/A	Draft Environmental Impact Report	California Public Utilities Commission	Document reviewed - No comments
<i>Utilities</i> <b>RVC160205-05</b> Cooley Solar Power Facility	The proposed project consists of developing a solar photovoltaic electrical generating facility. The site proposes approximately 2.4 acres of solar photovoltaic panels that would be capable of generating approximately 0.52 megawatts of electricity. The project is located south of East 4th Street; west of the Warm Creek channel; east of Waterman Avenue; and north of East 3rd Street in unincorporated County of San Bernardino.  Comment Period: 2/4/2016 - 2/25/2016 Public Hearing: N/A	Notice of Availability of a Draft Mitigated Negative Declaration	City of Riverside	Document reviewed - No comments

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.





**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
FEBRUARY 1, 2016 TO FEBRUARY 29, 2016**

SCAQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Institutional (schools, government, etc.)</i> <b>LAC160211-04</b> Geffen Academy at UCLA	The proposed project consists of the Geffen Academy at UCLA. The project site encompasses approximately 2.0 acres and is developed with the Kinross Building and associated outdoor space and a portion of Parking Lot 36 and is located at the existing Kinross building at 11000 Kinross Avenue. No new permanent structures would be constructed; however, interior and exterior building modifications and exterior site modifications would be required to accommodate the proposed Academy. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/february/nopgeffen.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/february/nopgeffen.pdf</a> Comment Period: 2/10/2016 - 3/10/2016 Public Hearing: N/A	Notice of Preparation	Regents of the University of California	SCAQMD staff commented on 2/19/2016
<i>Institutional (schools, government, etc.)</i> <b>RVC160216-02</b> Canyon Springs High School Athletic Complex	The proposed project consists of several improvements to Canyon Springs High School. Campus changes would include construction of a new 3,000 seat stadium complex, new campus access and parking lot; relocation of two softball fields, a soccer field, and tennis courts, a second campus access point, and expansion of the campus through potential acquisition of the adjacent Westbluff Park. The project is located at 10750 Pigeon Pass Road. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/february/nopcanyon.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/february/nopcanyon.pdf</a> Comment Period: 2/15/2016 - 3/16/2016 Public Hearing: N/A	Notice of Preparation	Moreno Valley Unified School District	SCAQMD staff commented on 2/19/2016
<i>Medical Facility</i> <b>LAC160226-04</b> Conditional Use Permit #6376 (39 Congress Street)	The proposed project consists of a four-story, 17,105-square-foot addition to the 39 Congress Medical Building, which is an existing three-story, 17,500-square-foot medical office building. The proposed building addition consists of three levels of medical offices over two levels of parking. Comment Period: N/A Public Hearing: 3/16/2016	Notice of a Public Hearing	City of Pasadena	Document reviewed - No comments
<i>Medical Facility</i> <b>RVC160205-03</b> Temecula Valley Hospital Helistop Major Modification	The proposed project consists of relocating the previously approved hospital helistop to two new locations, an interim ground level location that would be removed when the permanent location is constructed on the roof of the future hospital tower, during a later phase of hospital development. The previously approved helistop location would be developed with a one-story 5,000-square-foot storage building that would provide storage space for non-hazardous hospital materials such as disaster supplies, stock for the hospital, and linens. The project is located at 31700 Temecula Parkway. Comment Period: 2/8/2016 - 3/23/2016 Public Hearing: N/A	Recirculated Draft Supplemental Environmental Impact Report	City of Temecula	Under review, may submit written comments

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
FEBRUARY 1, 2016 TO FEBRUARY 29, 2016**

<u>SCAQMD LOG-IN NUMBER</u> PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Retail</b> <b>LAC160209-08</b> YWCA/Kimpton Hotel Project	The proposed project consists of rehabilitation of the existing historic YWCA building and the construction of a three-to-six-story, approximately 87,342-square-foot building adjacent to the YWCA which together are proposed to become an approximately 179-room Kimpton Hotel. The project is located on Morengo Avenue between East Union Street and Holly Street.  Comment Period: 2/5/2016 - 4/5/2016 Public Hearing: 3/1/2016	Notice of Availability of a Draft Environmental Impact Report	City of Pasadena	Under review, may submit written comments
<b>Retail</b> <b>LAC160216-03</b> Commonwealth Plaza	The proposed project consists of the development of approximately 21,603 square feet of retail space on 2.2 acres. The existing building will be demolished to construct the proposed retail development. The project is located at the southwest corner of the intersection of Commonwealth Avenue and Date Avenue.  Comment Period: 2/15/2016 - 3/7/2016 Public Hearing: N/A	Draft Mitigated Negative Declaration	City of Alhambra	Document reviewed - No comments
<b>Retail</b> <b>LAC160225-09</b> ENV-2014-4888/ 285 Lucus Ave; Westlake	The proposed project consists of the demolition of an existing two-story, 10-unit motel and the construction of a new five-story, 28-room hotel.  Comment Period: 2/25/2016 - 3/29/2016 Public Hearing: N/A	Notice of Availability of a Draft Mitigated Negative Declaration	City of Los Angeles	Under review, may submit written comments
<b>Retail</b> <b>RVC160223-03</b> Clinton Keith Village Retail Project (PA No. 15-0013)	The proposed project consists of the development of an approximate 40,120-square-foot commercial retail center that includes a 7-Eleven gas station/mini mart with concurrent beer and wine sales, two drive-through fast-food restaurants, and four multi-tenant retail buildings on 5.85 acres. The project will include 72,000 cubic yards of material to be exported off-site in accordance with City regulations.  Comment Period: 2/17/2016 - 3/17/2016 Public Hearing: N/A	Draft Mitigated Negative Declaration	City of Wildomar	Document reviewed - No comments
<b>General Land Use (residential, etc.)</b> <b>LAC160202-04</b> ENV-2012-3063-EIR	The proposed project consists of a mixed-use project consisting of 516 residential units, a 50,000 square-foot grocery store, 40,000 square feet of general retail uses, 9,000 square feet of restaurant uses, 200,000 square feet of creative office floor area, and subterranean parking with a total of 1,548 spaces for the project. The existing buildings will be removed and replaced with two buildings. The project is located at 12101 W. Olympic Boulevard.  Comment Period: N/A Public Hearing: 3/2/2016	Notice of a Public Hearing	City of Los Angeles	Document does not require comments

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.





**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
FEBRUARY 1, 2016 TO FEBRUARY 29, 2016**

<u>SCAQMD LOG-IN NUMBER</u> PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>General Land Use (residential, etc.)</b> <b>LAC160218-05</b> ENV-2015-2618/ 5261, 5263, 5303, 5305 N. Hermitage Ave, 12300, 12301, 12302 W Weddington St; North Hollywood-Valley Village	The proposed project consists of the construction of a 26-unit small lot subdivision with a total of 59,548 square feet of floor area on a 0.97 acre lot. The development would include a street merger of approximately 100 feet of Weddington Avenue as part of the tract map.  Comment Period: 2/18/2016 - 3/9/2016 Public Hearing: N/A	Notice of Availability of a Draft Mitigated Negative Declaration	City of Los Angeles	Document reviewed - No comments
<b>General Land Use (residential, etc.)</b> <b>LAC160218-06</b> ENV-2014-4787/ 4367-4373 Berryman Avenue; Palms-Mar-Vista-Del-Rey	The proposed project consists of a tentative tract map for the demolition of a 16-unit apartment building, and the construction of a 32-unit residential condominium in the R3-1 Zone.  Comment Period: 2/16/2016 - 3/9/2016 Public Hearing: N/A	Notice of Availability of a Draft Mitigated Negative Declaration	City of Los Angeles	Document reviewed - No comments
<b>General Land Use (residential, etc.)</b> <b>LAC160218-07</b> ENV-2014-4818/ 6118 W. Pico Blvd; Wilshire	The proposed project consists of the development of an approximately 107,813-square-foot, mixed-use development with 100 residential units, 16,600 square feet of ground floor commercial and 245 parking spaces on two levels of subterranean parking. The project involves the export of 28,060 cubic yards of dirt off-site.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/march/MDN20144818.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/march/MDN20144818.pdf</a> Comment Period: 2/18/2016 - 3/9/2016 Public Hearing: N/A	Notice of Availability of a Draft Mitigated Negative Declaration	City of Los Angeles	SCAQMD staff commented on 3/4/2016
<b>General Land Use (residential, etc.)</b> <b>LAC160218-09</b> ENV-2015-2076/ 9122-9126 W. Cordell Dr; Hollywood	The proposed project consists of the demolition of an existing 5,482-square-foot, 74-year-old single-family dwelling; and the construction of a 16,472-square-foot dwelling, pool and five parking spaces on two lots with an area of 12,810 square feet. The project will include a haul route to permit the movement of 9,400 cubic yards of soil.  Comment Period: 2/18/2016 - 3/9/2016 Public Hearing: N/A	Notice of Availability of a Draft Mitigated Negative Declaration	City of Los Angeles	Document reviewed - No comments

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.











**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
FEBRUARY 1, 2016 TO FEBRUARY 29, 2016**

SCAQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>General Land Use (residential, etc.)</i> <b>SBC160210-03</b> PUD 14-0093, TTM 14-0091, GPA 14-0094 & SC 14-0095	The proposed project consists of amending the General Plan and zoning designation of 15 acres of vacant land from R-6,000 to MDF-14 and to apply a Planned Unit Development Overlay zone to allow flexibility in design to create a gated community consisting of 124 dwelling units with common open space amenities. The project is located on the southwest corner of Orange Avenue and Dunlap Drive. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/february/pc140093.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/february/pc140093.pdf</a> Comment Period: 2/10/2016 - 3/7/2016 Public Hearing: N/A	Initial Project Consultation	City of Perris	SCAQMD staff commented on 2/12/2016
<i>General Land Use (residential, etc.)</i> <b>SBC160211-05</b> EAR No. 15-52, GPA No. 15-01, ZC No. 332, TTM No. 1997 & Precise Plan of Design No. 2415	The proposed project consists of the subdivision of approximately 9.24 gross acres of land into 77 single-family lots, ranging in size from 2,520 square feet to 2,992 square feet; one common lot, and one 2.19-net-acre remainder parcel, and a request to develop 77 single-family residences. The project is located approximately 950 feet south of Merrill Avenue. Comment Period: 2/12/2016 - 3/2/2016 Public Hearing: N/A	Draft Mitigated Negative Declaration	City of Rialto	Document reviewed - No comments
<i>General Land Use (residential, etc.)</i> <b>SBC160211-08</b> Las Terrazas Mixed-Use Affordable Apartments and Childcare Project	The proposed project consists of constructing a 112-unit affordable housing project with community and childcare buildings on approximately 5.92 acres. The project site is located on the northwest corner of the intersection of North Cypress Avenue and West Valley Boulevard in the City of Colton. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/march/MNDlasterrazas.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/march/MNDlasterrazas.pdf</a> Comment Period: 2/11/2016 - 3/10/2016 Public Hearing: N/A	Draft Mitigated Negative Declaration	County of San Bernardino	SCAQMD staff commented on 3/10/2016
<i>General Land Use (residential, etc.)</i> <b>SBC160219-02</b> Tentative Tract Map SUBTT18908	The proposed project consists of subdividing approximately 10.6 acres into 30 single-family detached lots for the future construction of 30 single-family residences. The project is located on the northwest corner of East Avenue and Wilson Avenue. Comment Period: 2/22/2016 - 3/23/2016 Public Hearing: N/A	Draft Mitigated Negative Declaration	City of Rancho Cucamonga	Document reviewed - No comments
<i>Plans and Regulations</i> <b>LAC160204-02</b> Downtown Specific Plan	The proposed project consists of a Specific Plan which implements the City's Land Use and Circulation Element goals and policies for the Downtown area with a horizon year of 2030. Comment Period: 2/3/2016 - 4/3/2016 Public Hearing: N/A	Program Environmental Impact Report	City of Santa Monica	Document reviewed - No comments

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.









**ATTACHMENT B**  
**ONGOING ACTIVE PROJECTS FOR WHICH SCAQMD HAS**  
**OR IS CONTINUING TO CONDUCT A CEQA REVIEW**

<u>SCAQMD LOG-IN NUMBER</u> PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Plans and Regulations</i> <b>RVC160108-02</b> Arantine Hills Specific Plan Amendment	The proposed project consists of a General Plan Amendment which will change the current designation of Agriculture on 276 acres west of Interstate 15, southwest of Cajalco Road, to a range of land uses to accommodate General Commercial, Mixed Use-Commercial Residential; Mixed Use - Commercial Business Park; Low Density Residential; Medium Density Residential; High Density Residential; Parks; Open Space. The Specific Plan will establish a master plan for the same 276 acres establishing corresponding land use designations to the General Plan Amendment. The project is located west of Interstate 15, southwest of Cajalco Road. Reference RVC120515-01 <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/february/dseirarantine.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/february/dseirarantine.pdf</a> Comment Period: 1/8/2016 - 2/22/2016	Draft Supplemental Environmental Impact Report	City of Corona	SCAQMD staff commented on 2/19/2016
	Public Hearing: N/A			

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

**ATTACHMENT C  
ACTIVE SCAQMD LEAD AGENCY PROJECTS  
THROUGH FEBRUARY 29, 2016**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
<p>The Phillips 66 (formerly ConocoPhillips) Los Angeles Refinery Ultra Low Sulfur Diesel project was originally proposed to comply with federal, state and SCAQMD requirements to limit the sulfur content of diesel fuels. Litigation against the CEQA document was filed. Ultimately, the California Supreme Court concluded that the SCAQMD had used an inappropriate baseline and directed the SCAQMD to prepare an EIR, even though the project has been built and has been in operation since 2006. The purpose of this CEQA document is to comply with the Supreme Court's direction to prepare an EIR.</p>	<p>Phillips 66 (formerly ConocoPhillips), Los Angeles Refinery</p>	<p>Environmental Impact Report (EIR)</p>	<p>The Notice of Preparation/ Initial Study (NOP/IS) was circulated for a 30-day public comment period on March 26, 2012 to April 26, 2012. The consultant submitted the administrative Draft EIR to SCAQMD in late July 2013. The Draft EIR was circulated for a 45-day public review and comment period from September 30, 2014 to November 13, 2014. Two comment letters were received and responses to comments are being prepared.</p>	<p>Environmental Audit, Inc.</p>
<p>Tesoro Refinery proposes to integrate the Tesoro Wilmington Operations with the Tesoro Carson Operations (former BP Refinery). The proposed project also includes modifications of storage tanks at both facilities, new interconnecting pipelines, and new electrical connections. In addition, Carson's Liquid Gas Rail Unloading facilities will be modified. The proposed project will be designed to comply with the federally mandated Tier 3 gasoline specifications and with State and local regulations mandating emission reductions.</p>	<p>Tesoro Refining and Marketing Company Los Angeles Refinery</p>	<p>Environmental Impact Report (EIR)</p>	<p>A previous Draft Negative Declaration was withdrawn in order for the storage tank project to be analyzed in a new CEQA document that also addresses the Tesoro-BP Refinery Integration Project. A NOP/IS was prepared for the integration project and released for a 30-day public review and comment period from September 10, 2014 to October 10, 2014. 86 comment letters were received, and responses to comments are being prepared. The consultant has prepared a Draft EIR which is under review by SCAQMD staff.</p>	<p>Environmental Audit, Inc.</p>
<p>Quemetco is proposing an increase in the daily furnace feed rate.</p>	<p>Quemetco</p>	<p>Environmental Impact Report (EIR)</p>	<p>An Initial Study has been prepared by the consultant and is under review by SCAQMD staff.</p>	<p>Trinity Consultants</p>
<p>DCOR LLC is proposing to install three flares on their off-shore oil Platform Esther.</p>	<p>DCOR LLC</p>	<p>Mitigated Negative Declaration (MND)</p>	<p>A preliminary draft MND has been prepared by the consultant and is under review by SCAQMD staff.</p>	<p>RBF Consulting</p>



[↑ Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 15

REPORT: Rule and Control Measure Forecast

SYNOPSIS: This report highlights SCAQMD rulemaking activities and public workshops potentially scheduled for the year 2016.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Michael B. O’Kelly  
Acting Executive Officer

PMF:JW:cg

---

The Rule and Control Measure Forecast Report provides the Board and interested parties with a monthly update of SCAQMD’s rulemaking and control measure implementation schedule.

415	Odors from Animal Rendering Facilities
Proposed Rule 415 is moved from May to October to allow staff additional time to work with stakeholders.	
1110.2	Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines
Rule 1110.2 is moved from May to June to allow staff to continue to develop potential mitigation scenarios for Prima Deshecha landfill exemption option.	
1142	Marine Tank Vessel Operations
Rule 1142 is moved from May to September to allow additional time to work with stakeholders.	

1304.2*	Greenfield or Existing Electrical Generating Facility Fee for Use of Offsets for Load Serving Entities
Proposed rule 1304.2 is moved from June to October to allow staff more time to work with stakeholders.	
1304.3*	Greenfield or Existing Electrical Generating Facility Fee for Use of Offsets for Municipalities
Proposed Rule 1304.3 is moved from June to October to allow staff more time to work with stakeholders	
1401	New Source Review of Toxic Air Contaminants
Rule 1401 is moved from June to July to allow staff more time to work with stakeholders	
1402	Control of Toxic Air Contaminants from Existing Sources
Rule 1402 is moved from June to July to allow staff more time to work with stakeholders	
Reg. XX	RECLAIM
Regulation XX is moved from May to July to allow time to work with stakeholders.	

## 2016 MASTER CALENDAR

Below is a list of all rulemaking activity scheduled for the year 2016. The last three columns refer to the type of rule adoption or amendment. A more detailed description of the proposed rule adoption or amendment is located in the Attachments (A through C) under the type of rule adoption or amendment (i.e. AQMP, Toxics, or Other).

*\*An asterisk indicates that the rulemaking is a potentially significant hearing.*

*+This proposed rule will reduce criteria air contaminants and assist toward attainment of ambient air quality standards.*

### 2016

May	Title	AQMP	Toxics	Other
Reg. III	Fees			√
306	Plan Fees			√
<b>June</b>				
219	Equipment Not Requiring a Written Permit Pursuant to Regulation II			√
222	Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II			√
1110.2	Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines	√		
1430.1*	Control of Toxic Air Contaminants from Grinding Operations at Metal Forging Facilities		√	
<b>July</b>				
430	Breakdown Provisions	√		
1148.2*	Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers			√
1148.3*	Requirements for Oil and Gas Wells and Commercial Suppliers			√
1168 <sup>+</sup>	Adhesive and Sealant Applications (CTS-02)	√		
1401	New Source Review of Toxic Air Contaminants		√	
1402	Control of Toxic Air Contaminants from Existing Sources		√	
Reg. XX	RECLAIM	√		

**2016 MASTER CALENDAR (continued)**

**2016 (continued)**

<b>September</b>		<b>AQMP</b>	<b>Toxics</b>	<b>Other</b>
416	Odors from Kitchen Grease Processing			√
1111.1 <sup>+</sup>	Reduction of NOx Emissions from Natural Gas Fired Commercial Furnaces (CMB-01)	√		
1142	Marine Tank Vessel Operations	√		
1420 <sup>+</sup>	Emissions Standard for Lead		√	
1466*	Toxic Air Contaminant Emissions from Decontamination of Soil		√	
<b>October</b>				
415*	Odors from Animal Rendering Facilities			√
Reg. IX	Standards of Performance for New Stationary Sources (NSPS)	√		
Reg. X	National Emission Standards for Hazardous Air Pollutants (NESHAPS)		√	
1147	NOx Reductions from Miscellaneous Sources	√		
1304.2*	Greenfield or Existing Electrical Generating Facility Fee for Use of Offsets for Load Serving Entities			√
1304.3*	Greenfield or Existing Electrical Generating Facility Fee for Use of Offsets for Municipalities			√
1426	Emissions from Metal Finishing Operations		√	
1469*	Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations		√	
<b>November</b>				
1136* <sup>+,+</sup>	Wood Products Coatings (CTS-02)	√		
1325	Federal PM2.5 New Source Review Program			√
1450*	Control of Methylene Chloride Emissions		√	
2202	On-Road Motor Vehicle Mitigation Options			√

**2016 MASTER CALENDAR (continued)**

**2016 (continued)**

<b>December</b>	<b>Title</b>	<b>AQMP</b>	<b>Toxics</b>	<b>Other</b>
1138 <sup>*,+</sup>	Control of Emissions from Restaurant Operations (BCM-01)	√		
1407	Control of Emissions of Arsenic, Cadmium and Nickel from Non-Ferrous Metal Operations		√	
Reg. XXIII <sup>*,+</sup>	Emissions Growth Management of Various Emissions Sources	√		
Reg. XL <sup>*</sup>	Ensure AQMP Emission Reduction Targets Are Met at Commercial Marine Ports	√		

**2016 TO BE DETERMINED**

<b>TBD</b>	<b>Title</b>	<b>AQMP</b>	<b>Toxics</b>	<b>Other</b>
Reg. II	Permits			√
224	Incentives for Super-Compliant Technologies			√
1106	Marine Coating Operations			√
1106.1	Pleasure Craft Coating Operations			√
1107 <sup>+</sup>	Coating of Metal Parts and Products (CTS-02)	√		
1118 <sup>+</sup>	Control of Emissions from Refinery Flares	√		
1123 <sup>+</sup>	Refinery Process Turnarounds (MCS-03)	√		
1133 Series	Composting and Related Operations	√		
1146 Series <sup>*,+</sup>	Emissions of Oxides of Nitrogen	√		
1150.1	Control of Gaseous Emissions from Municipal Solid Waste Landfills			√

**2016 MASTER CALENDAR (continued)**

**2016 TO BE DETERMINED (continued)**

<b>TBD</b>	<b>Title</b>	<b>AQMP</b>	<b>Toxics</b>	<b>Other</b>
1161 <sup>+</sup>	VOC Reductions from Mold Release Agents (CTS-03)	√		
1171 <sup>+</sup>	Solvent Cleaning Operations (CTS-02)	√		
1173 <sup>+</sup>	Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants	√		
1177 <sup>+</sup>	Liquefied Petroleum Gas Transfer and Dispensing (FUG-02)	√		
1188 <sup>+</sup>	VOC Reductions from Vacuum Trucks (FUG-01)	√		
1190 Series <sup>*,+</sup>	Fleet Vehicle Requirements	√		
Reg. XIII	New Source Review			√
1403	Asbestos Emissions from Demolition/Renovation Activities		√	
1411	Recovery or Recycling of Refrigerants from Motor Vehicle Air Conditioners			√
1430*	Control of Toxic Air Contaminants from Metal Forging, Shredding, Grinding and Other Metal Processing Operations		√	
Reg. XVI	Mobile Source Offset Programs			√
1902	Transportation Conformity	√		
Reg. XXV	On-Road and Off-Road Mobile Source Credit Generation Program			√
Reg. XXVII	Climate Change			√

**2016 MASTER CALENDAR (continued)**

**2016 TO BE DETERMINED (continued)**

TBD	Title	AQMP	Toxics	Other
Reg. III, IV, IX, X, XI, XIV, XX, XXIII, XXX and XXXV Rules	Various rule amendments may be needed to meet the requirements of state and federal laws, implement OEHHA revised risk assessment guidance, address variance issues/ technology-forcing limits, to abate a substantial endangerment to public health or welfare, or to seek additional reductions to meet the SIP short-term measure commitment. The associated rule development or amendments include, but are not limited to, SCAQMD existing rules listed in Table 1 of the December 4, 2015 Rule and Control Measure Forecast and new or amended rules to implement the 2012 AQMP measures in Table 2 of the December 4, 2015 Rule and Control Measure Forecast. The Clean Communities Plan (CCP) has been updated to include new measures to address toxic emissions in the Basin. The CCP includes a variety of measures that will reduce exposure to air toxics from stationary, mobile, and area sources (Table 3 of the December 4, 2015 Rule and Control Measure Forecast). Rule amendments may include updates to provide consistency with CARB Statewide Air Toxic Control Measures.	√	√	√
---	Mobile and Indirect Source Measures	√	√	
---	SIP Implementation	√		

# ATTACHMENT A

## AQMP Rule Activity Schedule

This attachment lists those control measures that are being developed into rules or rule amendments for Board consideration that are designed to implement the amendments to the 2012 Air Quality Management Plan.

### 2016

<b>June</b>	
1110.2	<p><b>Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines</b>  <i>[Projected Emission Reduction: TBD]</i>                      At the December 4, 2015 Board meeting, the Board directed staff to return with proposed amendments regarding potential relief for a unique situation at one facility.  <i>Philip Fine 909.396.2239 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
<b>July</b>	
430	<p><b>Breakdown Provisions</b>  <i>[Projected Emission Reduction: N/A]</i>                      This rule will be amended or replaced to address specific issues raised by U.S. EPA regarding start-ups or shutdowns associated with breakdowns.  <i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1168	<p><b>Adhesive and Sealant Applications (CTS-02)</b>  <i>[Projected Emission Reduction: TBD]</i>                      Amendments to Rule 1168 will partially implement CTS-02 and reflect improvements in adhesive and sealant technology, as well as remove outdated provisions and include minor clarifications.  <i>Philip Fine 909.396.2239 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
Reg. XX	<p><b>RECLAIM</b>  <i>[Projected Emission Reduction: TBD]</i>                      At the December 4, 2015 Board meeting, the Board directed staff to further analyze shutdown credits and bring a proposal for the Board's consideration.  <i>Philip Fine 909.396.2239 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>



# ATTACHMENT A

## AQMP Rule Activity Schedule (continued)

**2016**

<b>September</b>	
1111.1	<p><b>Reduction of NOx Emissions from Natural Gas Fired Commercial Furnaces</b>  <i>[Projected Emission Reduction: TBD]</i>                      Proposed Rule 1111.1 will establish equipment-specific nitrogen oxides emission limits and other requirements for the operation of commercial space heaters.                      Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</p>
1142	<p><b>Marine Tank Vessel Operations</b>  <i>[Projected Emission Reduction: N/A]</i>                      Revisions to Rule 1142 are proposed to address VOC emissions from marine tank vessel operations and provide clarifications.                      Susan Nakamura 909.396.3104 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</p>
<b>October</b>	
Reg. IX	<p><b>Standards of Performance for New Stationary Sources (NSPS)</b>  <i>[Projected Emission Reduction: N/A]</i>                      Proposed amendments will reflect all amendments by U.S. EPA to 40 CFR, Parts 60 and 61 from January 1, 2015 to June 30, 2016.                      Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</p>
1147	<p><b>NOx Reductions from Miscellaneous Sources</b>  <i>[Projected Emission Reduction: N/A]</i>                      Amendments may be necessary to address findings of ongoing technology assessment.                      Joe Cassmassi 909.396.3155 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</p>
<b>November</b>	
1136	<p><b>Wood Products Coatings (CTS-02)</b>  <i>[Projected Emission Reduction: TBD]</i>                      Amendments to existing rule limits and other provisions.                      Philip Fine 909.396.2239 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</p>
<b>December</b>	
1138	<p><b>Control of Emissions from Restaurant Operations (BCM-01)</b>  <i>[Projected Emission Reduction: TBD]</i>                      Proposed amendments will seek to reduce PM2.5 and related emissions from under-fired charbroilers.                      Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</p>

# ATTACHMENT A

## AQMP Rule Activity Schedule (continued)

2016

December	(continued)
Reg. XXIII	<p><b>Emissions Growth Management of Various Emissions Sources</b>  <i>[Includes Proposed Rule 2301 - Projected Emission Reduction: Committed to reduce 0.5 tons per day of VOC, 0.8 tons per day of NOx, and 0.5 tons per day of PM2.5 in 2023.]</i></p> <p>Regulation XXIII will contain rules related to emissions growth management of various emission sources including, but not limited to, new or redevelopment projects and other sources where criteria pollutant emissions associated with the region’s growth may cause or exacerbate exceedance of an air quality standard. Proposed rule(s) will implement the 2007 AQMP Control Measure EGM-01 – Emission Reductions from New or Redevelopment Projects and control measures identified in the 2016 AQMP. Proposed rules will consider the co-benefits of VOC, NOx, and PM 2.5 emission reductions from the 2012 and 2016 Regional Transportation Plan/Sustainable Communities Strategy and San Joaquin Valley Air Pollution Control District’s Rule 9510 – Indirect Source Review to meet the “all feasible measures” requirement. Regulation XXIII may include other sources as provided in the Final 2016 AQMP to be submitted to U.S. EPA in July 2016.</p> <p><i>Henry Hogo 909.396.3184 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
Reg. XL	<p><b>Ensure AQMP Emission Reduction Targets Are Met at Commercial Marine Ports</b>  <i>[Projected Emission Reduction: TBD]</i></p> <p>Regulation XL will contain rules applicable to the region’s commercial marine ports and to port-related emission sources operating within or traveling in and out of the ports. These sources include on-road heavy-duty trucks, ocean-going vessels, locomotives, commercial harborcraft, and cargo handling equipment. Regulation XL implements the 2007 AQMP Control Measure MOB-03, 2012 AQMP Control Measure IND-01, and control measures identified in the 2016 AQMP. Regulation XL may include other sources as provided in the Final 2016 AQMP to be submitted to U.S. EPA in July 2016.</p> <p><i>Henry Hogo 909.396.3184 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>

# ATTACHMENT A

## AQMP Rule Activity Schedule (continued)

### To-Be Determined 2016

<b>To-Be Determined</b>	
1107	<p><b>Coating of Metal Parts and Products (CTS-02)</b>  <i>[Projected Emission Reduction: TBD]</i>                      Potential amendments to Rule 1107 would further reduce VOC emissions and improve rule clarity and enforceability.  <i>Philip Fine 909.396.2239 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1118	<p><b>Control of Emissions from Refinery Flares</b>  <i>[Projected Emission Reduction: TBD]</i>                      Amendments may be necessary to address findings from the additional analysis required by the adopting resolution for the last amendment. Amendments may also be necessary to implement an AB 32 measure.  <i>Susan Nakamura 909.396.3105 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1123	<p><b>Refinery Process Turnarounds (MCS-03)</b>  <i>[Projected Emission Reduction: N/A]</i>                      Proposed amendments will implement Control Measure MSC-03 of the 2007 AQMP by establishing procedures that better quantify emission impacts from start-up, shutdown or turnaround activities.  <i>Susan Nakamura 909.396.3105 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1133 Series	<p><b>Composting and Related Operations (BCM-10)</b>  <i>[Projected Emission Reduction: TBD]</i>                      Amendments may be proposed in conjunction with the 2016 AQMP.  <i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1146 Series	<p><b>Emissions of Oxides of Nitrogen</b>  <i>[Projected Emission Reduction: TBD]</i>                      Amendments to Rules 1146, 1146.1, and 1146.2 may be necessary to respond to advancements in ultra-low NOx burner technology and selective catalytic reduction (SCR) applicability.  <i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1161	<p><b>VOC Reductions from Mold Release Agents (CTS-03)</b>  <i>[Projected Emission Reduction: TBD]</i>                      The proposed rule will establish requirements for mold release products used in composite, fiberglass, metal and plastic manufacturing, and concrete stamping operations.  <i>Philip Fine 909.396.2239 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>

# ATTACHMENT A

## AQMP Rule Activity Schedule (continued)

### To-Be Determined 2016

<b>To-Be Determined</b>	<b>(continued)</b>
1171	<p><b>Solvent Cleaning Operations (CTS-02)</b>  <i>[Projected Emission Reduction: TBD]</i>                      The proposed amendments will review existing exemptions and include clarifications that may arise due to compliance verification activities or manufacturer and public input, including the sales prohibition clause.  <i>Philip Fine 909.396.2239 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1173	<p><b>Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants</b>  <i>[Projected Emission Reduction: TBD]</i>                      Proposed revisions to Rule 1173 are being considered based on recent U.S. EPA Regulations.  <i>Susan Nakamura 909.396.3104 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1177	<p><b>Liquefied Petroleum Gas Transfer and Dispensing (FUG-02)</b>  <i>[Projected Emission Reduction: TBD]</i>                      Potential amendments may be proposed to include additional sources of emissions from the dispensing and transfer of LPG.  <i>Philip Fine 909.396.2239 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1188	<p><b>VOC Reductions from Vacuum Trucks (FUG-01)</b>  <i>[Projected Emission Reduction: TBD]</i>                      The proposed rule will establish VOC emission standards and other requirements associated with the operation of vacuum trucks not covered by Rule 1149 – Storage Tank and Pipeline Cleaning and Degassing.  <i>Susan Nakamura 909.396.3105 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1190 Series	<p><b>Fleet Vehicle Requirements</b>  <i>[Projected Emission Reduction: TBD]</i>                      Amendments to Rule 1190 series fleet rules may be necessary to address remaining outstanding implementation issues and in the event the court’s future action requires amendments. In addition, the current fleet rules may be expanded to achieve additional air quality and air toxic benefits.  <i>Dean Saito 909.396.2647 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1902	<p><b>Transportation Conformity</b>  <i>[Projected Emission Reduction: TBD]</i>                      Amendments to Rule 1902 may be necessary to bring the District’s Transportation Conformity rule in line with current U.S. EPA requirements.  <i>MacMillan 909.396.3244 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>

# ATTACHMENT A

## AQMP Rule Activity Schedule (continued)

### To-Be Determined 2016

<b>To-Be Determined</b>	<b>(continued)</b>
Reg. IV, IX, X, XI, XIV, XIV, XX, XXX AND XXXV Rules	<p>Various rule amendments may be needed to meet the requirements of state and federal laws, implement OEHHA revised risk assessment guidance, address variance issues/ technology-forcing limits, to abate a substantial endangerment to public health or welfare, or to seek additional reductions to meet the SIP short-term measure commitments and/or long-term emission reduction commitments. The associated rule development or amendments include, but are not limited to, SCAQMD existing rules listed in Table 1 of the December 4, 2015 Rule and Control Measure Forecast and new or amended rules to implement the 2012 AQMP measures in Table 2 of the December 4, 2015 Rule and Control Measure Forecast.</p>
---	<p><b>Mobile and Indirect Source Measures</b>  <i>[Projected Emission Reduction: TBD]</i>                      The District may adopt measures to limit emissions from mobile sources, both on-road and off-road (nonroad) sources, consistent with the Board’s direction to counsel at the October 2014 meeting to explore the District’s regulatory authority over mobile sources. These measures may include but are not limited to, transportation control measures, operational limits, fleet rules, credit generation rules, and indirect source rules, such as an indirect source rule for railyards and/or other sources which attract mobile sources.  <i>Henry Hogo 909.396.3184 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
---	<p><b>SIP Implementation</b>  <i>[Projected Emission Reduction: TBD]</i>                      The District may adopt additional measures to carry out the State Implementation Plan for PM2.5 or ozone, or other pollutants if required, as deemed necessary to meet commitments and federal requirements.  <i>Philip Fine 909.396.2239 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>

## ATTACHMENT B

### Toxics Rule Activity Schedule

This attachment lists those rules or rule amendments for Board consideration that are designed to implement the Air Toxics Control Plan.

**2016**

<b>June</b>	
1430.1	<p><b>Control of Toxic Air Contaminants from Grinding Operations at Metal Forging Facilities</b></p> <p>Proposed Rule 1430.1 will establish emission reduction requirements to control emissions from grinding operations at forging facilities.</p> <p><i>Susan Nakamura 909.396.3105 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
<b>July</b>	
1401 1402	<p><b>New Source Review for Toxic Air Contaminants</b></p> <p><b>Control of Toxic Air Contaminants from Existing Sources</b></p> <p>Revisions to Rule 1402 are proposed to add a voluntary risk reduction program for certain AB 2588 core facilities and other amendments to streamline and clarify provisions. Revisions to Rule 1401 are also proposed to revise procedures for adding and revising toxic air contaminants on the Rule 1401 list.</p> <p><i>Susan Nakamura 909.396.3105 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
<b>September</b>	
1420	<p><b>Emissions Standard for Lead</b></p> <p>In October 2008, U.S. EPA lowered the National Ambient Air Quality Standard (NAAQS) for lead from 1.5 to 0.15 ug/m<sup>3</sup>. Proposed Rule 1420 will establish requirements for lead-emitting sources that are not covered under Rules 1420.1 and Rule 1420.2 to ensure compliance with the lead NAAQS.</p> <p><i>Susan Nakamura 909.396.3105 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1466	<p><b>Toxic Air Contaminant Emissions from Decontamination of Soil</b></p> <p>Proposed Rule 1466 would establish requirements to control toxic metal emissions from activities involving storing, handling and transporting soils with toxic metals.</p> <p><i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>

## ATTACHMENT B

### Toxic Rule Activity Schedule (continued)

**2016**

<b>October</b>	
Reg. X	<p><b>National Emissions Standards for Hazardous Air Pollutants (NESHAPS)</b>                      Proposed amendments will reflect all amendments by U.S. EPA to 40 CFR, Parts 60 and 61 from January 1, 2015 to June 30, 2016.  <i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1426	<p><b>Emissions from Metal Finishing Operations</b>                      Proposed amendments to Rule 1426 will establish requirements to reduce nickel, cadmium and other air toxics from plating operations.  <i>Susan Nakamura 909.396.3105 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1469	<p><b>Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations</b>                      Proposed Amended Rule 1469 will strengthen requirements to address potential fugitive emissions from hexavalent chrome plating and anodizing operations. Provisions to address changes to the U.S. EPA NESHAP may be needed to address use of perfluorooctane sulfonate (PFOS) in fume suppressants.  <i>Susan Nakamura 909.396.3104 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
<b>November</b>	
1450	<p><b>Control of Methylene Chloride Emissions</b>                      The proposed amendment is to reduce exposure to methylene chloride from furniture stripping, remove potential regulatory loopholes, achieve emission reductions where possible and cost effective, include reporting requirements, and clarify the rule language to improve consistency with other SCAQMD VOC rules.  <i>Philip Fine 909.396.2239 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
<b>December</b>	
1407	<p><b>Control of Emissions of Arsenic, Cadmium and Nickel from Non-Ferrous Metal Operations</b>                      Proposed Rule 1407 will establish additional requirements to minimize air toxics from metal operations.  <i>Susan Nakamura 909.396.3105 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>

## ATTACHMENT B

### Toxic Rule Activity Schedule (continued)

#### To-Be Determined 2016

<b>To-Be Determined</b>	
1403	<p><b>Asbestos Emissions from Demolition/Renovation Activities</b>            Amendments to Rule 1403 will include specific requirements when conducting asbestos-emitting demolition/renovation activities at schools, daycares, and possibly establishments that have sensitive populations. Amendments may include other provisions to improve the implementation of the rule.</p> <p><i>Susan Nakamura 909.396.3105 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1430	<p><b>Control of Toxic Air Contaminants from Metal Forging, Shredding, Grinding and Other Metal Processing Operations</b>            Proposed Rule 1430 will establish emission reduction requirements for metal grinding operations.</p> <p><i>Susan Nakamura 909.396.3105 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
Reg. IV, IX, X, XI, XIV, XIV, XX, XXX and XXXV Rules	<p>The Clean Communities Plan (CCP) has been updated to include new measures to address toxic emissions in the Basin. The CCP includes a variety of measures that will reduce exposure to air toxics from stationary, mobile, and area sources (Table 3 of the December 4, 2015 Rule and Control Measure Forecast). Rule amendments may include updates to provide consistency with CARB Statewide Air Toxic Control Measures. In addition, rule developments/amendments may be needed to address revisions to the 2015 OEHHA Health Risk Guidelines.</p>
---	<p><b>Mobile and Indirect Source Measures</b>            The District may adopt measures to limit emissions from mobile and indirect sources, both on-road and off-road (non-road) sources, consistent with the Board's direction to counsel at the October 2014 meeting to explore the District's regulatory authority over mobile sources. These measures may include but are not limited to, transportation control measures, operational limits, fleet rules, credit generation rules, and indirect source rules, such as an indirect source rule for railyards and/or other sources which attract mobile sources.</p> <p><i>Henry Hogo 909.396.3184 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>



# ATTACHMENT C

## Other Rule Activity Schedule

This attachments lists rules or rule amendments for Board consideration that are designed to improve rule enforceability, SIP corrections, or implementing state or federal regulations.

**2016**

<b>May</b>	
Reg. III	<p><b>Fees</b> This regulation is automatically updated to adjust specified fees by the California Consumer Price Index (CPI). Further amendments may be necessary if so directed by the Board in conjunction with the annual budget approval process.</p> <p><i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
306	<p><b>Plan Fees</b> Proposed amendments to Rule 306 are administrative changes, which will also clarify rule implementation.</p> <p><i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
<b>June</b>	
219  222	<p><b>Equipment Not Requiring a Written Permit Pursuant to Regulation II</b> <b>Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II</b> Amendments to Rules 219 and 222 may be proposed in tandem to exclude equipment with de minimis emissions from the requirement to obtain written permits by adding additional equipment categories to the streamlined file/registration program of Rule 222.</p> <p><i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
<b>July</b>	
1148.2  1148.3	<p><b>Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers</b> <b>Requirements for Oil and Gas Wells and Commercial Suppliers</b> Proposed Rule 1148.3 will establish best management practices during specific well stimulation activities. Additional revisions to Rule 1148.2 may also be needed.</p> <p><i>Susan Nakamura 909.396.3104 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>

# ATTACHMENT C

## Other Rule Activity Schedule (continued)

2016

September	
416	<p><b>Odors from Kitchen Grease Processing</b> Proposed Rule 416 will provide protection to the public from odors created during kitchen grease processing operations. The proposed rule will establish Best Management Practices to address odors created during delivery and processing of trap grease to affected facilities. In addition, the proposed rule will examine enclosure for wastewater treatment operations and filter cake storage. The proposed rule may also contain requirements for an Odor Mitigation Plan for continuing odor issues at facilities subject to the rule.</p> <p><i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
October	
415	<p><b>Odors from Animal Rendering</b> Proposed Rule 415 will provide protection to the public from odors created during animal rendering operations. The proposed rule will incorporate a preventative approach to odors by establishing Best Management Practices and will consider enclosure and odor control requirements for the receipt and processing of rendering material and wastewater. The proposed rule may also contain requirements for an Odor Mitigation Plan for continuing odor issues at facilities subject to the rule.</p> <p><i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>

## ATTACHMENT C

### Other Rule Activity Schedule (continued)

2016

October	(continued)
1304.2	<p><b>Greenfield or Existing Electrical Generating Facility Fee for Use of Offsets for Load Serving Entities</b></p> <p><b>Greenfield or Existing Electrical Generating Facility Fee for Use of Offsets for Municipalities</b></p> <p>Proposed Rules 1304.2 and 1304.3 would provide for new, greenfield or additions at existing electrical generating facilities to access the SCAQMD’s internal offset account, subject to qualifying conditions, eligibility, and the payment of a fee to invest in air quality improvement projects consistent with the AQMP. These rules are a companion to Rule 1304.1. Proposed Rule 1304.2 will provide offsets so that new, proposed and other existing electrical generating facilities can compete on a level playing field with existing generating facilities with utility steam boilers, and implement the State’s plan to maintain grid reliability.</p> <p>Proposed Rule 1304.3 will provide offsets so that new, proposed and other existing electrical generating facilities run by local municipalities can meet the electricity reliability needs of their customers.</p> <p><i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1304.3	
November	
1325	<p><b>Federal PM2.5 New Source Review Program</b></p> <p>Amendments may be necessary to address U.S. EPA’s Final Ruling to reclassify the Los Angeles South Coast Air Basin (South Coast) from Moderate PM2.5 nonattainment area to Serious PM2.5 nonattainment for the 2006 National Ambient Air Quality Standards.</p> <p><i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
2202	<p><b>On-Road Motor Vehicle Mitigation Options</b></p> <p>Rule 2202 will be amended to streamline implementation while achieving the Rule’s target emission reductions.</p> <p><i>Carol Gomez 909.396.3264 CEQA: Krause 909.396.2706 Socio: Cassmassi 909.396.3155</i></p>

## ATTACHMENT C

### Other Rule Activity Schedule (continued)

#### To-Be Determined 2016

<b>To-Be Determined</b>	
Reg. II 224	<p><b>Permits</b> <b>Incentives for Super-Compliant Technologies</b></p> <p>This regulatory effort will outline strategies and requirements to incentivize the development, establishment and use of super-compliant technologies. It may be considered as a part of Rule 219 amendments or proposed as a separate incentive Rule 224.</p> <p><i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1106 1106.1	<p><b>Marine Coating Operations</b> <b>Pleasure Craft Coating Operations</b></p> <p>(This item was previously submitted to the Board, but rejected. It will be brought back for Board direction.)</p> <p>The proposed amendment is two-fold: first, Rule 1106.1 is proposed to be rescinded and second, Rule 1106 will: subsume the requirements of 1106.1; revise VOC content limits for pretreatment wash primers, antenna, repair and maintenance thermoplastic, inorganic zinc, and specialty marking coatings in order to align limits with U.S. EPA Control Techniques Guidelines and other California air districts; and add new categories for marine aluminum antifoulant, mist, nonskid and organic zinc coatings and marine deck primer sealant. The proposed amendment also adds provisions for pollution prevention measures, enhanced enforceability, and to promote clarity and consistency.</p> <p><i>Philip Fine 909.396.2239 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
1150.1	<p><b>Control of Gaseous Emissions from Municipal Solid Waste Landfills</b></p> <p>Proposed amendments will address U.S. EPA revisions to the Standards of Performance for Municipal Solid Waste Landfills (NSPS) and Existing Guidelines and Compliance Timelines (EG) for Municipal Solid Waste Landfills, as well as CARB GHG requirements.</p> <p><i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
Reg. XIII	<p><b>New Source Review</b></p> <p>Amendments may be necessary to implement newly approved requirements or to address U.S. EPA comments on SIP approvability issues and/or requirements. Amendments may also be proposed for clarity and improved enforceability.</p> <p><i>Tracy Goss 909.396.3106 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>

# ATTACHMENT C

## Other Rule Activity Schedule (continued)

### To-Be Determined 2016

<b>To-Be Determined</b>	<b>(continued)</b>
1411	<p><b>Recovery or Recycling of Refrigerants from Motor Vehicle Air Conditioners</b></p> <p>The proposed amendments to Rule 1411 will align with existing Clean Air Act Requirements to prevent the release of refrigerants during the servicing of motor vehicle air conditioning systems, address other clarifications, and enhance enforceability.</p> <p><i>Philip Fine 909.396.2239 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
Reg. XVI	<p><b>Mobile Source Offset Programs</b></p> <p>Amendments to various Regulation XVI rules will be proposed to address the recent U.S. EPA proposed disapproval of such rules including Rule 1610.</p> <p><i>Henry Hogo 909.396.3184 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
Reg. XXV	<p><b>On-Road and Off-Road Mobile Source Credit Generation Programs</b></p> <p>Regulation XXV will contain rules to allow generation of criteria pollutant mobile source emission reduction credits from various on-road and off-road sources, such as on-road heavy-duty trucks, off-road equipment, locomotives, and marine vessels. Credits will be generated by retrofitting existing engines or replacing the engines with new lower-emitting or zero-emission engines.</p> <p><i>Henry Hogo 909.396.3184 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>
Reg. XXVII	<p><b>Climate Change</b></p> <p>Changes may be needed for Regulation XXVII to add or update protocols for GHG reductions, and other changes may be needed.</p> <p><i>Jill Whynot 909.396.3104 CEQA: MacMillan 909.396.3244 Socio: Cassmassi 909.396.3155</i></p>

# ATTACHMENT C

## Other Rule Activity Schedule (continued)

### To-Be Determined 2016

<b>To-Be Determined</b>	<b>(continued)</b>
Reg. IV, IX, X, XI, XIV, XX, XXX and XXXV Rules	<p>Various rule amendments may be needed to meet the requirements of state and federal laws, implement OEHHA revised risk assessment guidance, address variance issues/ technology-forcing limits, to abate a substantial endangerment to public health or welfare, or to seek additional reductions to meet the SIP short-term measure commitment. The associated rule development or amendments include, but are not limited to, SCAQMD existing rules listed in Table 1 of the December 4, 2015 Rule and Control Measure Forecast and new or amended rules to implement the 2012 AQMP measures in Table 2 of the December 4, 2015 Rule and Control Measure Forecast. The CCP has been updated to include new measures to address toxic emissions in the Basin. The CCP includes a variety of measures that will reduce exposure to air toxics from stationary, mobile, and area sources (Table 3 of the December 4, 2015 Rule and Control Measure Forecast). Rule amendments may include updates to provide consistency with CARB Statewide Air Toxic Control Measures.</p>

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 16

PROPOSAL: Status Report on Major Projects for Information Management  
Scheduled to Start During Last Six Months of FY 2015-16

SYNOPSIS: Information Management is responsible for data systems  
management services in support of all SCAQMD operations. This  
action is to provide the monthly status report on major automation  
contracts and projects to be initiated by Information Management  
during the last six months of FY 2015-16.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Michael B. O’Kelly  
Acting Executive Officer

JCM:MAH:OSM:ag

---

### **Background**

Information Management (IM) provides a wide range of information systems and services in support of all SCAQMD operations. IM’s primary goal is to provide automated tools and systems to implement Board-approved rules and regulations, and to improve internal efficiencies. The annual Budget specifies projects planned during the fiscal year to develop, acquire, enhance, or maintain mission-critical information systems.

### **Summary of Report**

The attached report identifies each of the major projects/contracts or purchases that are expected to come before the Board between January 1 and June 30, 2016. Information provided for each project includes a brief project description, FY 2015-16 Budget, and the schedule associated with known major milestones (issue RFP/RFQ, execute contract, etc.).

### **Attachment**

Information Management Major Projects for Period January 1 through June 30, 2016

**ATTACHMENT**  
**April 1, 2016 Board Meeting**  
**Information Management Major Projects**  
**for the Period January 1 through June 30, 2016**

<b>Item</b>	<b>Brief Description</b>	<b>Budgeted Funds</b>	<b>Schedule of Board Actions</b>	<b>Status</b>
SCAQMD Cross-Media Electronic Reporting Regulation (CROMERR) Application Package Submission to U.S. EPA	Seek approval for submission of the SCAQMD consolidated application package to U.S. EPA for review and approval.	Not Applicable	Approve CROMERR application package, January 8, 2016)	Completed
Prequalify Vendor List for PCs, Network Hardware, etc.	Establish list of prequalified vendors to provide customer, network, and printer hardware and software, and to purchase desktop computer hardware upgrades	\$300,000	Release RFQQ November 6, 2015; Approve Vendors List and Award Purchase February 5, 2016	Completed
Systems Development, Maintenance, and Support	Provide development, maintenance and support for: <ul style="list-style-type: none"> <li>• Web application system development</li> <li>• CLASS systems enhancements</li> <li>• CLASS systems maintenance</li> </ul>	\$571,050	February 5, 2016	Completed
Enterprise Content Management System	Select vendor to provide a high quality ECM solution to capture, store and manage a robust workflow; and deliver documents and electronic files related to the organizational processes.	\$231,383 (Proposed FY 2016-17 Budget)	Release RFP December 4, 2015; Award Contract April 1, 2016	On Schedule

Double-lined Rows - Board Agenda items current for this month

Shaded Rows - activities completed



BOARD MEETING DATE: April 1, 2016

AGENDA NO. 18

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee met on Friday, March 11, 2016. The Committee discussed various issues detailed in the Committee report. The next Administrative Committee meeting is scheduled for Friday, April 8, 2016 at 10:00 a.m.

RECOMMENDED ACTION:  
Receive and file.

Dr. William A. Burke, Chair  
Administrative Committee

nv

---

**Attendance:** Attending the March 11, 2016 meeting were Committee Vice Chair Ben Benoit and Committee Member Judith Mitchell at SCAQMD headquarters, and Committee Chair Dr. William A. Burke and Committee Member Dr. Clark E. Parker, Sr. via videoconference.

**ACTION/DISCUSSION ITEMS:**

1. **Board Members' Concerns:** None to report.
2. **Chairman's Report of Approved Travel:** As noted on the travel report, Councilmember Mitchell will travel to Sacramento to attend the monthly CARB Board meeting.
3. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** Acting Executive Officer Michael B. O'Kelly reported that Councilmember Dwight Robinson is recommending to change the status of his Board Assistant, Thomas Fuentes, Jr., to a Board Consultant. This change does not result in additional contract monies and Thomas Fuentes, Jr., meets the qualifications required of a Board Consultant.

Moved by Mitchell; seconded by Parker, unanimously approved.

Ayes: Benoit, Mitchell, Dr. Parker, Dr. Burke  
Noes: None

4. **Report of Approved Out-of-Country Travel:** None to report.

5. **Issue RFP to Solicit Proposals for Media, Advertising and Public Outreach Campaign; and Execute Contract for Targeted YouTube Videos and Banner Ads, both for 2016/17 Check Before You Burn Program:**

Media Manager Sam Atwood reported that the outreach for the Check Before You Burn Program will begin on November 1, 2016. For the past three years, SCAQMD has contracted with an advertising and public relations firm at a cost of \$493,000 per year. Their campaign this past season included radio advertisements, a digital campaign on the internet and Facebook, and a media campaign with 264 news stories that resulted in over 51 million impressions at no cost. There were radio-sponsored events, there were staffed booths in all four counties at 53 events with 5,800 attendees. There has been a 55% increase in air alerts from last year. The year ended with just under 1,000 signups. This proposal is to augment this coming year with the use of Google. The current Google campaign with which Vice Chair Ben Benoit has been very involved, is focused on promoting the Right to Breathe video and the Do One Thing video. To date, the campaign has achieved 240 million impressions and of that there have been 2.5 million interactions, which translates to 2.5 million people having either clicked on a banner ad that takes them to watch the video or having watched at least 30 seconds of the short video promoting the longer version of the video, with the cost at 12 cents per click or per interaction. The remainder of the campaign will be, working with Vice Chair Benoit, to promote other initiatives such as the Lawnmower Exchange Program, air quality awareness during wildfires, and other important topics. The Google campaign has been highly successful in that all the numbers discussed have been exclusively targeted to the SCAQMD. Proposed for the upcoming Check Before You Burn season is a reduced spending amount of \$250,000 for a more traditional media public relations advertising outreach which will continue to include radio campaigns and an earned media campaign, but at the same time supplemented with a new Google campaign of \$250,000 where residents would be targeted to alert them of No Burn Days, as well as encouraging them to sign up for air alerts. Staff is recommending to issue an RFP for up to \$250,000 for a media and advertising contractor, and to authorize the Executive Officer later this year to execute a contract with Google for \$250,000 for the exclusive purpose of promoting the Check Before You Burn season. Dr. Burke inquired if Mr. Atwood could review how many people were exposed through events? Mr. Atwood responded that in over 50 events in all four counties, the number of people attending those events was in the tens of thousands. The number of people actually contacted, someone stopping at a booth, encouraging them to sign up for air alerts, and giving away promotional items, was 5,800 individuals. Dr. Burke commented that SCAQMD is a sponsor of Taste of L.A. which has 350,000 people attending, it would seem that the events are in the tens of thousands and staff is already at an event that has 350,000 attendees, thus there appears to be something wrong with the numbers. Dr. Burke further added that he

would like to thank Vice Chair Benoit for assisting with this effort, but that he thought that \$250,000 to do traditional advertising doesn't seem to be getting the results that Vice Chair Benoit is achieving through the use of Google. Vice Chair Benoit responded that Google has been a great tool, but he doesn't want it to be the only source of outreach. Vice Chair Benoit inquired whether the 9,000 count includes every flyer leaving the table or minor interactions, since Google is counting minor interactions of 30 seconds in watching a video. Vice Chair Benoit further added if there was a count of promotional material given out that may be a more comparable substantive number to Google's count. Vice Chair Benoit inquired if Mr. Atwood had any other numbers other than the 9,000 number? Mr. Atwood responded he didn't have the information readily available, but he would get the information for the Board. Mr. Atwood commented that the Google program has a very wide reach, but it's a matter of whether the Board would like to supplement Google with community events. Dr. Burke responded that he is going to defer his decision to Vice Chair Benoit as he is more familiar. Dr. Parker inquired about the 240 million number. Mr. Atwood responded the Google campaign to date, has achieved 240 million impressions and about 2.5 million interactions. Dr. Parker inquired of the 2.5 million, what percentage of those are within geographic boundaries? Mr. Atwood responded 100%. Dr. Parker inquired for only this particular region? Mr. Atwood responded affirmatively. Dr. Burke requested that Mr. Atwood provide the information to all Board Members.

Moved by Benoit; seconded by Parker; unanimously approved.

Ayes: Benoit, Mitchell, Dr. Parker, Dr. Burke  
Noes: None

6. **Issue RFP for CEQA Consultant Assistance:** Assistant Deputy Executive Officer/Planning & Rules Jill Whynot reported that this RFP is to provide assistance to staff over the next couple of years. Staff would like to interview and hire qualified firms to assist with CEQA projects, for rules and air quality plans or when SCAQMD is one of the lead agencies. This has been done in the past and has been an effective and timely way to get through heavy workloads and get good quality consultants. These are level-of-effort contracts so they would be used on an as-needed basis depending on the needs and the necessary skills. There is up to \$100,000 in the current budget. This would roll into the next year and possibly a third year as the funds are available. Dr. Parker inquired what is the approximate cost we incur when we go outside for assistance to analyze CEQA? Dr. Parker further added that staff would probably reply it would depend on the complexity of the project. Ms. Whynot responded in the affirmative. Dr. Parker inquired what is the average? Ms. Whynot responded if it's directed to one specific topic area where there is no expertise, such as noise analysis, it could run \$20,000; if a full CEQA document for a very complex program is done, it could run up to \$100,000. Chief Deputy Counsel Barbara Baird added it would depend on the

project; if it is a permit action, then under our rules we are reimbursed by the permit applicant. Councilmember Mitchell inquired what does the \$100,000 cover? Ms. Whynot responded that the \$100,000 is the maximum amount of money that would be available and then as the need arose, one firm could be selected for analysis for \$25,000, or if there is a big project that can't be handled in-house, one of the firms can do the analysis for \$50,000. The \$100,000 is the maximum amount regardless of the number of projects or length of time. Councilmember Mitchell inquired if that amount actually covers the CEQA analysis. Ms. Whynot responded in the affirmative, that it pays for the consultant for whatever CEQA analysis they are providing. Councilmember Mitchell inquired is the purpose to solicit qualified, reliable firms to be able to do these analyses? Ms. Whynot responded in the affirmative. Vice Chair Benoit commented that his city regularly contracts their work.

Moved by Benoit; seconded by Mitchell; unanimously approved.

Ayes: Benoit, Mitchell, Dr. Parker, Dr. Burke  
Noes: None

7. **Issue RFP for Protocol Development for Reconciling Air Quality Monitoring Data with Dispersion Modeling Results:** Ms. Whynot reported that this RFP is to assist with the Air Toxics Hot Spots Analysis for the AB 2588 Program. Staff has run into a variety of situations in the last couple of years either due to rule requirements or other requirements, where facilities may have fence-line monitoring. The AB 2588 Program mainly relies on the emissions reported from the facilities, one of the key factors for determining the risk. There have been situations where the monitors are showing much higher emissions than what is being reported or available through source tests. It has been found with Exide, Hickson and a number of other facilities. This RFP would be to seek an expert to help develop a protocol or a standard way to reconcile when the monitored data and the emissions that are reported don't match. It would benefit industry to be informed of the approach so that they have the information on hand. It will improve the ability to recognize what the emissions are and to help develop an appropriate emissions reduction strategy. The \$100,000 was set aside for this current fiscal year budget.

Moved by Parker; seconded by Mitchell; unanimously approved.

Ayes: Benoit, Mitchell, Dr. Parker, Dr. Burke  
Noes: None

8. **Appropriate Funds and Authorize Amending/Initiating Contracts with Outside Counsel and Specialized Legal Counsel and Services:** Chief Deputy Counsel Barbara Baird reported this item is a request to appropriate additional funds from the fund designation for litigation and enforcement of \$100,000, and \$350,000 from Undesignated Fund Balance and authorizing the Legal Office to add or amend contracts accordingly. She would like to add that since the Committee materials were distributed, a new lawsuit was served, challenging the RECLAIM amendments which the Board adopted on December 4, making this request more critical.

Moved by Parker; seconded by Mitchell; unanimously approved.

Ayes: Benoit, Mitchell, Dr. Parker, Dr. Burke  
Noes: None

9. **Execute Contract for Refurbishment of Pace Air Handlers at SCAQMD Headquarters and Approve Transfer of Funds:** Assistant Deputy Executive Officer/Human Resources Bill Johnson reported staff is requesting the execution of a contract to refurbish four of SCAQMD's air handlers. There are a total of 24 air handlers. Following the release of an RFP, three proposals were received. Of the three proposals, staff is recommending to approve a contract with EMCOR Services which has a considerable number of years of experience with the SCAQMD since they have handled other machinery in the building. This request is for \$1,265,260 to replace the existing plug fans, which provide continuous air flow throughout the building on each floor, with fan wall technology. This will result in significant energy savings. Dr. Parker inquired are these item costs already included in our overall budget, as we may not know when we are going to have an emergency situation; and how do we justify these types of expenditures relative to our overall budget? Acting Executive Officer Michael O'Kelly responded that several years ago the Board approved an Infrastructure Improvement Fund that is separate from the General Fund. Monies were placed into the Infrastructure Improvement Fund specifically for projects such as this. This project was previously identified and a little over \$1 million was set aside, but it is being supplemented with \$200,000 from other building maintenance items that were included in this year's budget. 80% of this money was already set aside for this specific purpose and it is outside of the General Fund Budget, since these things do not always happen in a normal 12-month cycle.

Moved by Parker; seconded by Mitchell; unanimously approved.

Ayes: Benoit, Mitchell, Dr. Parker, Dr. Burke  
Noes: None

10. **Authorize Purchase of Enterprise Content Management System:** Assistant Deputy Executive Officer/Information Management Chris Marlia reported SCAQMD's current Enterprise Document Management System licensing agreement expires in July. Historically, this item is brought to the Board in June or July to have it approved in time to appropriate the funds before the license agreement expires. Last year, it was requested by Dr. Parker to bring the item back 90 days in advance to allow more time for consideration. This year an RFP was issued to find if there were a better price and better solution than the current contractor. The bidder's conference, describing all the functionality of the current content management system, was attended by over 18 companies, most of them third-party vendors not the actual companies. Five bids were received, one of which was disqualified for not meeting the proposal requirements; of the remaining four, one proposer didn't achieve the minimum technical score, leaving three proposals for panel consideration. Two of the bids were for OnBase, Hyland Software and a third-party vendor. The fourth company's bid was for a product called Open Text, a third-party vendor. The company that was disqualified for technical points was proposing a solution called Documentum. All three of these products are highly rated by groups that evaluate IT technology. As a third option, companies were solicited if they could provide a solution to replace the Agenda Tracking System. The evaluation panel recommended staying with Hyland Software and the OnBase product. The cost of licensing is just over \$129,000 for the OnBase system and includes the licensing for the Agenda Tracking System, as well as the module that was purchased last year for the Legal Department. Last year's cost was \$122,000 and this year's increase in cost includes more modules that have been purchased recently or can be purchased. Mr. O'Kelly added the legal module that was bought last year and the new proposal are 7% less for the standard services that are already in place. Staff is recommending entering into a contract with Hyland Corporation for \$101,000 to implement the agenda tracking module and \$129,783 for the first year's maintenance costs. Councilmember Mitchell noted that there is a huge cost differentiation. Mr. Marlia responded that the cost varies due to Hyland already having the documents in place and the other companies would have to convert documents and there would be implementation costs. Vice Chair Benoit commented there are licensing costs associated with an upgrade. Dr. Parker commented that this was a very effective process in terms of cost.

Moved by Parker; seconded by Benoit; unanimously approved.

Ayes: Benoit, Mitchell, Dr. Parker, Dr. Burke  
Noes: None

11. **Local Government & Small Business Assistance Advisory Group Minutes for the January 15, 2016 Meeting:** Attached for information only are the minutes for the January 15, 2016 meeting of the Local Government & Small Business Assistance Advisory Group.
12. **Environmental Justice Advisory Group Draft Minutes from the January 29, 2016 Meeting:** Attached for information only are the draft minutes from the January 29, 2016 meeting of the Environmental Justice Advisory Group.
13. **Review April 1, 2016 Governing Board Agenda:** Mr. Michael O'Kelly reported at the last Board meeting, the Executive Officer's Draft Goals and Objectives were delayed by one month; therefore, staff is recommending that another Set Public Hearing be added to the April Governing Board agenda to set the Public Hearing in May for the FY 2016-17 Budget adoption, which would be supported by the Governing Board Budget Workshop that is scheduled for April 8, 2016. The Governing Board will be presented with all details of the proposed budget at the April Set Hearing with the Budget hearing in May. Dr. Burke inquired if this item can be set as an agenda item or does it require a vote? Ms. Baird responded yes, it can be set as an agenda item and a vote isn't required to add it to the agenda.
14. **Other Business:** None.
15. **Public Comment:** None.

Meeting adjourned at 10:40 a.m.

#### **Attachments**

1. Local Government & Small Business Assistance Advisory Group Minutes for the January 15, 2016 Meeting
2. Environmental Justice Advisory Group Draft Minutes from the January 29, 2016 Meeting



# South Coast Air Quality Management District

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

## LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY JANUARY 15, 2016 MEETING MINUTES

### **MEMBERS PRESENT:**

Ben Benoit, Mayor, City of Wildomar and LGSBA Vice Chairman  
Paul Avila, P.B.A. & Associates  
Geoffrey Blake, Metal Finishers of Southern California/All Metals  
Rita Loof, RadTech International  
David Rothbart, Los Angeles County Sanitation District

### **MEMBERS ABSENT:**

Felipe Aguirre  
Todd Campbell, Clean Energy  
Maria Elena Kennedy, Kennedy Communications

### **OTHERS PRESENT:**

Mark Abramowitz, Board Member Assistant (*Lyou*)  
David Czmanske, Board Member Consultant (*Cacciotti*)

### **SCAQMD STAFF:**

Joe Cassmassi, Director, Strategic Initiatives  
Nancy Feldman, Principal Deputy District Counsel  
Kathryn Higgins, Program Supervisor  
Elaine-Joy Hills, AQ Inspector II  
Lori Langrell, Secretary  
Guillermo Sanchez, Senior Public Affairs Manager

### **Agenda Item #1 - Call to Order/Opening Remarks**

Mayor Ben Benoit called the meeting to order at 11:31 a.m.

### **Agenda Item #2 – Approval of December 11, 2015 Meeting Minutes/Review of Follow-Up/Action Items**

Vice Chair Benoit called for approval of the December 11, 2015 meeting minutes. The Minutes were approved unanimously.

### **Agenda Item #3 – Review of Follow Up/Action Items**

Mr. Guillermo Sanchez stated no action items arose out of the December 11, 2015 meeting.

### **Agenda Item #4 – Implementation of AB 2766 Requirements**

Ms. Kathryn Higgins provided an overview of the AB 2766 program for FY 2013-2014.



In regards to traffic mitigation efforts in the City of Los Angeles, Mr. Paul Avila asked if the percentage of money being used for rerouting ultimately is intended to slow down traffic. Ms. Higgins replied that any plan that keeps the traffic moving with no idling is the goal of the plan. They also have sensors in place for preemption of buses approaching a light. Mr. Avila further asked if there's an increase in bike lanes, how emission reductions are measured. Ms. Higgins indicated that the goal of the bike lanes is for commuting usage, encouraging people to get out of their cars utilizing their cycles. Lastly, Mr. Avila asked if reports submitted are by local governments; Ms. Higgins replied yes.

Mr. David Rothbart inquired if the emission reductions are entered into the SIP. Ms. Higgins indicated that they are not specifically entered, but are addressed in relation to ambient air quality standards, while some are claimed under other programs; for example, Rule 2202 is included in the AQMP. Mr. Rothbart further asked if reductions could potentially be used, to which Ms. Higgins replied yes.

Ms. Rita Loof asked if the District reaches out to local governments when the reports are due to offer assistance, and if the District does outreach. Ms. Higgins indicated that at the end of the fiscal activity year, notifications are sent out to local governments, city managers, Board of Supervisors, financial officers, and the preparer on record. The District is willing to assist when the reports are due.

**Agenda Item #5 – Local Government & Small Business Assistance Advisory Group 2015 Accomplishments/2016 Goals & Objectives**

Mr. Sanchez presented the 2015 Accomplishments/2016 Goals & Objectives. Mr. Sanchez noted one addition had been submitted since the December 2015 meeting.

Ms. Loof asked what revisions were made in the 2015 Accomplishments, paragraph two, where a follow-up item mentions new additions and/or revisions were made by staff via LGSBA input. Mr. Sanchez indicated he will try to get an answer. Ms. Loof requested that Rule 219 be added to the goals, which falls under incentive programs number ten, and also under item three, Rule 1106 coatings be added.

Mr. Rothbart requested, going back to Ms. Loof's item under goal number three, if we go into more of an interactive discussion, ask for rules to be brought to us, as opposed to waiting for staff to present. Mr. Rothbart further stated that we be more proactive in seeking discussion as to rules, and assignments, and to be a more functional committee.

Mr. Avila asked Nancy Feldman regarding the Aliso Canyon gas leak, noting that Governor Brown wants to sue So Cal Gas for damages incurred, what would be the hierarchy in distributing any settlement funds. In response, Ms. Nancy Feldman indicated that there is already a class action lawsuit on behalf of the residents, City of Los Angeles, and the County of Los Angeles. If additional plaintiffs line up, the case will likely be referred to a court involved with large format lawsuits, and will essentially be heard as one party. Mr. Avila further inquired what if the judgment is so huge the gas company cannot pay. Ms. Feldman indicated they are a public entity and it would be tailored in such a way that there will be payments.

Ms. Loof asked if LGSBA advisory group's agenda could be emailed to all local governments, and if the District has a mechanism for that. Chair Benoit indicated that, as Mayor, he receives a lot of agendas for various meetings, and it can get to be a lot.

Chair Benoit asked if there were any additional questions or issues, seeing none, he called for addition of the recommended items to the 2016 Goals and Objectives.

**Agenda Item #6 – Update on Regulation XX – Regional Clean Air Incentives Market (RECLAIM)**

Mr. Joe Cassmassi presented an update on Regulation XX – Regional Clean Air Incentives Market (RECLAIM).

Mr. Rothbart asked if the breakdown provisions will be something that will be consistent with Rule 430, or dealt with separately. Mr. Cassmassi replied that the RECLAIM amendment will be separate, keeping a tight focus on the Rule 430 situation. Mr. Rothbart further asked, since 12 tons were approved as opposed to 14 tons, what kind of ramifications will there be on getting the two additional tons. Mr. Cassmassi indicated even with 14 tons we need additional tons of emissions reduction. Twelve tons is a substantial movement forward, and we will probably look at ways to make up those two tons.

Ms. Loof asked about attachments E and F, which were completely left out of what was available at the Board meeting. Mr. Cassmassi replied that to address that issue, the rule was coming back to the Board for a new adoption.

Mr. Avila asked for the interpretation of “shave.” Mr. Cassmassi indicated the RECLAIM market as of December 3 was comprised of 26.5 total tons of emissions reduction in the form of emission credits. The shave is a scaled or timed reduction in the size of the market, as what we originally proposed was changed. We will take the 26.5 tons down to 22.5 tons, in 2016 we will take a hiatus, and 2017, 2018, 2019 will be a one ton per year reduction in the size of the RECLAIM market. Then there will be a back load of three tons, then four tons in the last two years further shrinking the market. In the first year, the two ton shave will satisfy the 2012 contingency requirement towards years 2020-2022 and we will see an acceleration in terms of emission reductions.

Mr. Geoff Blake asked if Rule 1147 will be discussed. Mr. Cassmassi replied the rule is going to the Stationary Source Committee with an update, then to the Board as a report to receive without a hearing involved, but the Rule 1147 working group will continue following the Board meeting, looking at what rules may evolve from Rule 1147. Ms. Loof stated that it is on the agenda for the Administrative Committee, which may be obtained online. Additionally, even though it was postponed from the Stationary Source Committee for November, the staff presentation was there at that meeting.

**Agenda Item #7 –Monthly Report on Small Business Assistance Activities**

No comments.

**Agenda Item #8 - Other Business**

No comments.

**Agenda Item #9 - Public Comment**

No comments.

**Adjournment**

The meeting adjourned at 12:16 p.m.



**DRAFT**

**ENVIORNMENTAL JUSTICE ADVISORY GROUP  
FRIDAY, JANUARY 29, 2016  
MEETING MINUTES**

**MEMBERS PRESENT:**

Dr. Joseph Lyou, SCAQMD Governing Board, EJAG Chairman  
Daniel Morales, National Alliance for Human Rights  
Dr. Afif El-Hasan, American Lung Association  
Evelyn Knight, Long Beach Economic Development Commission  
Larry Beeson, Loma Linda University, School of Public Health  
Mary Figueroa, Riverside Community College  
Paul Choe, Korean Drycleaners & Laundry Association  
Suzanne Bilodeau, Knott's Berry Farm

**MEMBERS ABSENT:**

Alycia Enciso, Small Business Owner, San Bernardino  
Arnold Butler, Inglewood Unified School District Board  
Brenda Threatt, First African Methodist Episcopal (AME) Church  
Judy Bergstresser, Member of the Public  
Lizette Navarrete, University of California, Riverside  
Maria Elena Kennedy, Quail Valley Task Force  
Micah Ali, Compton Unified School District  
Msgr. John Moretta, Resurrection Church  
Pastor Raymond Turner  
Pat Kennedy, Greater Long Beach Interfaith Community Organization  
Rudy Gutierrez, Community Representative, Coachella Valley  
William Nelson, OC Signature Properties  
Woodie Rucker-Hughes, NAACP - Riverside Branch

**OTHERS PRESENT**

David Czamanske, SCAQMD Board Assistant for Michael Cacciotti  
Ron Ketcham, Governing Board Consultant for Larry McCallon  
Aaron Klemm, California State University  
Angelica Virrueta, Harvey Mudd College  
Antonia Graham, City of Huntington Beach  
Avery Pheo, Claremont Colleges  
Brad Haydd, California State University - Los Angeles  
Edward Mac, Claremont Colleges  
Francisco Donez, Pitzer College  
Jennifer Lee, Talperior

Jeremy Greer, Claremont Colleges  
Juan Jaramillo, Claremont Colleges  
Kaile Sauro, Pitzer College  
Kat Harhai, Claremont Colleges  
Madeline Ferry, Scripps College  
Mary Urashima, Huntington Beach  
Matt Colbert, Pitzer College  
Peter Whittingham, Curt Pringle & Associates  
Samantha Nuno, Claremont Colleges  
Sarah Whitney, Claremont McKenna College  
Sophia Hui, Claremont Colleges  
Vallerie Gonzalez, Center for Sustainable Energy

#### **SCAQMD STAFF**

Barbara Baird, Chief Deputy Counsel  
Derrick Alatorre, Assistant DEO  
Daniela Arellano, Senior Public Information Specialist  
Jeanette Short, Senior Administrative Secretary  
Jill Whynot, Assistant DEO  
Marc Carrel, Program Supervisor  
Michael Krause, Program Supervisor  
Nicholas Sanchez, Sr. Deputy District Counsel  
Tracy Goss, Planning & Rules Manager

#### **Agenda Item #1: Call to Order/Opening Remarks**

Chair Dr. Joseph Lyou called the meeting to order at 12:02 PM. He welcomed students from the Claremont Colleges and acknowledged EJAG Member Evelyn Knight for receiving the “Justice for All Award,” at the Martin Luther King Jr. Day of Service Forum, which took place on January 16, 2016 at the California Science Center in Los Angeles. Dr. Lyou asked staff to reschedule the next EJAG meeting because it coincides with the SCAQMD Governing Board Retreat on April 29, 2016.

**Action Item:** LPA Staff will reschedule the next EJAG meeting and inform members of the date change.

#### **Agenda Item #2: Approval of November 12, 2015 Meeting Minutes**

Chair Lyou called for the approval of the minutes. The November 12, 2015 meeting minutes were approved unanimously.

#### **Agenda Item #3: Review of Follow-Up/Action Items**

Mr. Derrick Alatorre reviewed the action items from the November 12, 2015 meeting.

1. Chair Lyou requested that there be a presentation on SCAQMD Voluntary Early Risk Reduction for AB 2588 Facilities and Rule 1402.

- a. Information was shared with EJAG members on January 27, 2016. A presentation on this item will be delivered at the next EJAG meeting.*
2. Chair Lyou requested that staff share information on the California Air Resources Board (CARB) proposed risk management guidance for stationary sources for air toxics.
  - a. Information was distributed to EJAG members on January 27, 2016.*
3. Chair Lyou requested that SCAQMD staff share the Cambridge Systematics study with the group.
  - a. Information was distributed to EJAG members on January 27, 2016*
4. EJAG members requested an update on how the Trans-Pacific Partnership would affect air quality within the SCAQMD Air Basin.
  - a. Mr. Alatorre provided EJAG members with an update on the Trans-Pacific Partnership.*

#### **Agenda Item #4: Member Updates**

Dr. Lawrence Beeson shared information about Loma Linda University's research findings, regarding gender differences in respiratory health among school children who live near rail yards. The findings reveal that males suffer more respiratory problems than females. Dr. Beeson asked that the findings be shared with EJAG members.

**Action Item:** SCAQMD staff to share Dr. Beeson's findings with EJAG members.

Mr. Francisco Donez, Professor at Pitzer College and employee at the Environmental Protection Agency (EPA), stated he and his students attended the EJAG meeting so they could later discuss environmental justice in class. Chair Lyou invited the students on the tour of the facility and encouraged people to contact his Board Consultant, Mr. Mark Abromowitz if they needed his assistance.

#### **Agenda Item #5: Distribution of 2015 Accomplishments**

Mr. Alatorre presented the 2015 EJAG Accomplishments to the members.

#### **Agenda Item #6: Discussion on Proposed Guidelines for Disbursement and Tracking of Funds Received Pursuant to Rule 1304.1 – Electrical Generating Facility Fee for Use of Offset Exemption**

Chair Lyou provided attendees with background information on Rule 1304.1.

Mr. Tracy Goss delivered his presentation on Rule 1304.1: Electrical Generating Facility Fee for Use of Offset Exemption.

Mr. Daniel Morales requested an update on SCAQMD's investments in the power plant in Indio, California and Chair Lyou responded that all EJAG members be provided with this update.

**Action Item:** Provide EJAG members with an update on the power plant in Indio, California.

Mr. Morales asked about the type of energy used for the power plants, and about how China's use of coal affects air quality in Southern California. Mr. Goss stated the power plants use natural gas and the effects of China's coal use are most evident in Northern California.

Ms. Suzanne Bilodeau asked who initiates projects that receive funding. Mr. Goss informed her that anyone can apply for project funding, including environmental justice groups, cities, businesses, community groups, non-profits, etc. Ms. Bilodeau further inquired how the public will be notified about the available funding. Mr. Goss provided examples of previous outreach efforts which included ads in media outlets including Spanish newspapers, as well as "office hours," during which public workshops provided technical assistance to applicants. Dr. Lyou recommended that new Governing Board Members be informed about the outreach that was conducted for previous funding programs, and in particular, the AB 1318 Mitigation Fee program in 2013.

**Action Item:** Staff will provide the information to the Board's Stationary Source Committee and will include the information as part of the Public Hearing at the Board's March 4<sup>th</sup> meeting.

Dr. El-Hassan asked about the efficiency of the new equipment. Mr. Goss responded that the new equipment is more efficient but emphasized that it is better to think about its capacity factor, rather than its efficiency. The higher the capacity factor is an indication of additional electrical generation and therefore more pollution that may need to be offset, hence the potential need for offset through the rule that will subsequently be mitigated through the rule and funding program.

Ms. Evelyn Knight stated that insufficient outreach is conducted to inform communities about funding opportunities. Dr. Lyou encouraged Ms. Knight to support SCAQMD with outreach efforts.

Ms. Bilodeau then asked about the criteria used to select funding recipients. Mr. Goss indicated there will be a tracking system to determine how money is allocated.

Ms. Mary Figueroa asserted that the outreach conducted in the Coachella Valley is practically unheard of. She added that money available for that area goes unused because the community does not know how to apply for those funding sources. Mr. Goss provided Ms. Figueroa with examples of the multiple workshops that were held in the Riverside County to assist applicants with the development of funding applications for the AB 1318 Mitigation Fee program. Mr. Morales asked if community groups can use grant writers to assist with the application process. Mr. Goss recommended that community groups be cautious on the details of how the grant writer will be paid. Mr. Derrick Alatorre indicated that matching funds can be used on projects.

Mr. Aaron Clem, Chief of Energy and Sustainability for the California State University, Office of the Chancellor, read comments on behalf of Dr. Vivienne Price, who is an Associate Professor in the Interdisciplinary and Labor Studies Program at California State University, Dominguez Hills (CSUDH). Mr. Clem stated the residents of Watts are particularly susceptible to air quality issues as they are close to repowering projects and facilities. CSUDH recommends that SCAQMD maintain or expand the proposed 15 mile radius on the environmental justice criteria for funding. Mr. Clem added that CSUDH plans to respond to SCAQMD's request for proposals.

Mr. Brad Hydell, Energy and Sustainability Manager at California State University, Los Angeles (CSULA), stated the university is surrounded by environmental justice communities which lie close to the most polluted transportation corridors in the state of California. He added that CSULA created the Sustainable Energy and Transportation Technology Program in part, to address air pollution. CSULA recommends that in its request for proposals, SCAQMD expand the proximity to electrical generating facilities criteria to a 20 mile radius, as this would allow CSULA to expand on its education in community engagement projects related to environmental justice.

Ms. Antonia Graham, Energy and Sustainability Project Manager and Assistant to the City Manager, for the City of Huntington Beach, stated that Orange County is often overlooked when identifying environmental justice communities. She specifically identified the Oakview Community as an environmental justice neighborhood because it sits next to a materials recovery facility. Ms. Graham also stated that the city would like the funds from the Huntington Beach Energy Project (HBEP) to stay in the community, as the local residents will receive a disproportionate amount of the negative impacts.

Ms. Mary Urashima, Resident of the Oakview Community in Huntington Beach, agreed with Ms. Graham. She believes the community's air quality is affected by the materials recovery facility and she also believes the community will need help in responding to the request for proposals.

Mr. Edward Mack, Student at Pitzer College, questioned how power plants and offsets affect air pollution. Chair Lyou replied there is a concentration of pollution sources that unfairly burden certain communities, so "proximity to a facility" will be one of the criteria used to identify potential projects to fund.

Ms. Jennifer Lee, Resident of Huntington Beach, requested that SCAQMD consider a community's proximity to a local power plant when selecting projects to fund. She also believes the SCAQMD's environmental justice definition is rigid.

#### **Agenda Item #7: Report on EPA's Proposed Revisions to Deadlines for Processing Environmental Justice Complaints**

Barbara Baird presented her update on the Environmental Protection Agency's (EPA) Proposed Revisions to Deadlines for Processing Environmental Justice Complaints.

Dr. El-Hassan asked if violation of the American Disabilities Act (ADA) is considered discriminatory per the EPA. Ms. Baird clarified there is a separate statute that prohibits agencies from receiving federal funding if they discriminate on the basis of a handicap. Dr. El-Hassan asked for clarification on whether facilities' violations of ADA fall under that, to which Ms. Baird responded that they do.

#### **Agenda Item #8: 2016 Air Quality Management Plan**

Mr. Michael Krause presented on the 2016 Air Quality Management Plan (AQMP).

Dr. Lyou emphasized how air pollution mostly affects the young and elderly in areas that receive disproportionate amounts of air pollution, and how the SCAQMD works to improve the air quality in those areas.

Ms. Knight indicated she wants to better understand air quality on a broader level. Chair Lyou indicated EJAG members will better understand the issues, upon the publication of the AQMP. Mr. Krause also encouraged the public to make comments on the AQMP.

Mr. Mack asked how air quality regulations would be affected by the results of the presidential elections. Dr. Lyou indicated there could be new and amended regulations at the state and federal level.

Mr. Jeremy Greer, Student at Pitzer College, asked how the projected state and federal emission standards are established. Mr. Krause informed Mr. Greer that U.S. EPA establishes the federal standards and the State of California establishes the more stringent state standards. SCAQMD then submits its plan on how it will attain those standards. The EPA then reviews the plan to ensure compliance with the Clean Air Act requirements, including Appendix I that identifies potential public health effects.

Mr. Juan Pablo Jaramillo, Student at Pitzer College, recommended that SCAQMD improve its website to make it more user-friendly. Dr. Lyou informed meeting attendees that SCAQMD recently hired a web designer to improve the site's user experience. Mr. Marc Carrel also encouraged meeting attendees to follow SCAQMD on social media platforms and to download the SCAQMD Smartphone App.

#### **Agenda Item #9: Public Comment Period**

Mr. Alatorre informed attendees about the Cesar Chavez Day of Remembrance, on March 19, 2016 and encouraged people to register to attend.

#### **Agenda Item #10: Tour of SCAQMD Facilities and Laboratory**

EJAG members and students participated in a tour of the SCAQMD lab, led by Sr. Enforcement Manager, Rudy Eden. Todd Warden, Senior Public Information Specialist, provided a demonstration of alternative fuel vehicles.

#### **Agenda Item #11: Adjournment**

The meeting adjourned at 2:20 PM.



[↑ Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 19A

REPORT: Legislative Committee

SYNOPSIS: The Legislative Committee held a meeting on Friday, February 12, 2016 and made the listed recommendations. These recommendations were presented at the March 4, 2016 Board meeting and were continued to the April 1, 2016 Board meeting by operation of procedure. As a result, the Committee is resubmitting for approval the Legislative Committee's March 4, 2016 Board letter. The next Legislative Committee meeting is scheduled for Friday, April 8, 2016 at 9 a.m. in Conference Room CC8.

<b>Agenda Item</b>	<b>Recommendation</b>
Aliso Canyon Natural Gas Leak Amendments to the Federal Energy Bill	Support
SB 886 / SB 380 <sup>1</sup> (Pavley) Natural Gas Storage: Moratorium	Support and continue to work with author on details involving air quality and SCAQMD operations
SB 887 (Pavley) Natural Gas Storage Wells	Support and continue to work with author on details involving air quality and SCAQMD operations
SB 888 (Allen) Gas Corporations: Emergency Management	Support and continue to work with author on details involving air quality and SCAQMD operations
State and Federal Legislative Proposals Providing for Additional Cost Considerations in SCAQMD's Regulatory Program	Approve for staff to prepare bill language for next meeting

---

<sup>1</sup> The committee took a support position on SB 886 (Pavley), but that language was gutted and amended into SB 380 (Pavley). SB 886 is now a vehicle for another bill.

**RECOMMENDED ACTION:**

Receive, file this report, and approve agenda items as specified in this letter.

Michael D. Antonovich  
Acting Chair  
Legislative Committee

LBS:GSA:PFC:jf

---

**Attendance [Attachment 1]**

The Legislative Committee met on February 12, 2016. Committee Members Michael D. Antonovich (Acting Chair), Joe Buscaino, Dr. William A. Burke, Dr. Clark E. Parker, Sr. and Janice Rutherford attended via videoconference. Committee Chair Judith Mitchell was absent.

**Report on Federal Legislative Issues**

Gary Hoitsma, SCAQMD's federal legislative consultant of the Carmen Group, reported that the President released his annual budget proposal for what the Administration proposes to spend in the coming year. This budget plan includes a number of provisions dealing with transportation, clean energy and environmental matters that should be of special interest to SCAQMD.

Mr. Hoitsma reported that the overall reaction to the budget proposal from the Republican leadership in the House of Representatives has been universally negative. He informed the Committee that the House Budget Committee Chairman Tom Price went so far as to break with 40 years of precedent by saying his Committee would not even invite the President's budget director to testify on the budget.

Mr. Hoitsma also gave an update on the U.S. House appropriations process. He reported that the House is moving forward on an aggressive plan to craft individual spending bills this year on an accelerated schedule. This will include budget oversight hearings which have started, followed by committee markups beginning in April and floor action soon thereafter on all 12 bills, in the hopes of getting them done by mid-June.

Mr. Hoitsma added that House Republican leaders say they will stay within the higher discretionary spending caps agreed to on a bipartisan basis at the end of last year. But right now they are fighting internally on the Republican side with a group of rank-and-file conservatives who want to restrain spending even further. Tom Dennis and Kaleb Froehlich of Cassidy & Associates, SCAQMD's federal consultants, also reported on issues relating to Washington, D.C.

Mr. Froehlich reported that the U.S. Senate continues to consider the Energy Policy Modernization Act (EPMA). The bill is comprised of five sections on energy efficiency, infrastructure, supply, accountability and conservation. The bill, which has been on the

Senate floor for about two weeks, has bipartisan support and passed out of Committee by an 18-4 vote. It was expected to receive similar bipartisan support on the floor; however, there is an ongoing debate regarding an amendment to provide aid to Flint, Michigan for the water crisis. The Senate is working to find a solution on this issue, but at this time, agreement has yet to be reached.

Mr. Froehlich stated that to date, of the 338 amendments introduced, 38 amendments have been accepted to the overall package, including Amendment 3194 by Senators Boxer and Feinstein creating the Aliso Canyon Natural Gas Leak Task Force. This Amendment was adopted by a voice vote. The Senate is on a recess for Presidents' Day week and is expected to address the overall bill when they return. During this break, Congressional staff will be meeting to try and work out a compromise.

Mr. Dennis provided the Committee with an outlook for Congressional activity in 2016. He reported that since 2016 is a Presidential election year, it is widely anticipated that the legislative calendar will be brief and focus primarily on completion of various items, including: the reauthorization of the Federal Aviation Administration (FAA) and the National Defense Authorization Act (NDAA), immigration reform and sanctions against North Korea as a result of their nuclear testing and recent missile launch.

Both the House and Senate are likely to continue oversight of President Obama's Clean Energy Plan and other environmental initiatives from the U.S. EPA. There may also be a public lands package to address a number of outstanding items that have languished for several years. Finally, if the Energy bill does not pass, the Boxer/Feinstein amendment dealing with Aliso Canyon could be attached to other legislation that is moving through the Senate.

Mr. Dennis informed the Committee that the U.S. Supreme Court issued an order recently, staying U.S. EPA's Clean Power Plan (CPP). The Supreme Court's stay was unexpected and is considered a major near-term blow to the Obama Administration's climate agenda. The decision to stay the rule was on a 5-4 vote. The order reverses a January 21 decision of the U.S. Court of Appeals for the District of Columbia denying a request for a stay by Petitioners. Twenty-seven states and numerous industry groups have challenged the CPP's legality in the D.C. Circuit. Many of those petitioners sought to stay the rule until the legal proceedings are complete. The stay will remain in effect until the D.C. Circuit resolves the legal challenges to the CPP and either the Supreme Court decides not to review the D.C. Circuit's decision, or the high court issues its own opinion.

The timing of the stay is notable because states are required under U.S. EPA's rule to submit implementation plans by September 2016. With the stay in place, states will not have an obligation to submit plans to U.S. EPA or request an extension. The action by the Supreme Court is unprecedented. It is the first time that the Supreme Court has issued a stay of a circuit court case while the case is being considered by that lower

court. The result of this action is seen as potentially pushing back the implementation of the CPP by almost three years.

Mark Kadesh of Kadesh & Associates, SCAQMD's federal legislative consultant reported that the President recently released his FY 2017 budget. U.S. EPA's FY 2017 budget request of \$8.267 billion is \$127 million above the agency's enacted level for FY 2016. This includes significant funding to help states implement the CPP strategies but he noted that, as discussed, this week the Supreme Court issued a stay regarding the CPP and it is not expected that this will be resolved before the election. So the state of those funds remains unclear.

Mr. Kadesh informed the Committee that as part of the President's 21<sup>st</sup> Century Clean Transportation Plan included in the Budget, the President proposes to establish a new mandatory Fund at U.S. EPA funded by his proposed \$10/barrel tax on oil. To protect the health of the most vulnerable populations and reduce childhood exposure to harmful exhaust, U.S. EPA will provide a total of \$1.65 billion through the Fund over the course of 10 years to retrofit, replace, or repower diesel equipment. The proposed funding, which is separate from the Agency's discretionary funding request, will provide up to \$300 million in FY 2017 to renew and increase funding for the DERA Grant Program, which is set to expire in 2016.

Additionally, the President's budget has U.S. EPA working with the National Highway Transportation Safety Administration, to continue to address greenhouse gas and fuel efficiency standards for mobile sources. An additional \$1 million is included in the President's request for this work. The budget also includes a \$4.2M increase to enhance vehicle, engine and fuel compliance programs, including critical testing capabilities, to ensure compliance with emission standards.

Mr. Kadesh stated that the release of the President's proposed budget is the first step in the funding process. The next important step is the appropriations process. The Senate appropriation subcommittees are just beginning to hold the hearings which are the precursors to the bill markups this spring. It is expected that some or all of the bills will get marked up quickly and go to the Senate floor, but because of the nature of the Senate and the ability to stall legislation, it is not expected that the appropriations bills will be completed prior to the July recess and the elections. It is possible that there could be a lame duck session after the election in November that addresses these funding bills.

Finally, Senator Feinstein's staff requested and received a briefing from SCAQMD staff regarding the Aliso Canyon gas leak situation on February 11.

#### **Update on State Legislative Issues**

SCAQMD's state legislative consultant Paul Gonsalves of Joe A. Gonsalves & Son provided the Committee with an update on various key Sacramento issues.

Mr. Gonsalves shared key legislative deadlines that would be impacting the Capitol Building process and timelines:

- January 22 was the deadline to submit to Leg. Counsel
- February 19 is the last day for bills to be introduced
- March 17-28 is Spring Recess

As all bills are subject to a 30-day in-print rule before they are set to be heard by a committee, the committee hearings for most bills will not begin until late March. In the meantime, the legislators are engaging in several informational hearings. On February 22, the Assembly Transportation Committee and the Senate Transportation and Housing Committee will be holding a joint informational hearing on how the California Air Resources Board's (CARB) air quality and emission reductions programs relate to the transportation sector. Also, the Senate Environmental Quality Committee is planning an informational hearing on the oversight of the SCAQMD's Regional Clean Air Incentives Market (RECLAIM) Program.

In addition, Mr. Gonsalves highlighted two of the many recently introduced bills. AB 1550 (Gomez, D-Los Angeles) requires the Greenhouse Gas Reduction Fund Investment Plan to allocate a minimum 25% of the available funding to projects located within disadvantaged communities and a separate and additional 25% to projects that benefit low-income households. AB 1710 (Calderon, D-Whittier) builds on the Charge Ahead California Initiative and requires that CARB in coordination with other state agencies develop and implement a comprehensive program to promote advanced-technology light-duty vehicle deployment in the state and meet the goals established by the Governor and the Legislature, such as the Zero-Emission Vehicles Action Plan and the Charge Ahead California Initiative.

Mr. Gonsalves expects over 1,000 bills to be introduced - many of those will be spot bills to be developed over the 30-days in-print rule. His firm will continue to closely monitor all bills of interest to the SCAQMD and keep staff apprised.

SCAQMD's state legislative consultant Will Gonzalez of Gonzalez, Quintana, Hunter & Cruz provided the Committee with an update on various key Sacramento issues.

Mr. Gonzalez briefed the Committee on two newly introduced bills. AB 1657 (O'Donnell, D-Long Beach) creates zero-and near-zero emissions program through CARB focusing on intermodal terminals and a port energy efficiency program to be administered by the California Energy Commission. AB 1691 (Gipson, D-Carson) sets a goal for CARB to replace 10,000 vehicles in disadvantaged communities through the Enhanced Fleet Modernization Program. The new program is subject to Appropriation, but the Author's staff has had positive discussions with Budget Committee.

In regards to the Greenhouse Gas Reduction Fund (GGRF) there are mounting pressures to spend the funding on a variety of programs. At stake is the funding subject to the Legislature's discretion - \$1.6 billion left over from last year and the anticipated \$2 billion in revenues in the current fiscal year. In addition to calls for the Governor to restore funds to social service programs, several other programs are close to running out of funds, and there have been numerous bills allocating GGRF funds to new programs or purposes.

The legislative session has begun with a variety of oversight informational hearings, including:

- Assembly Transportation Committee: Sustainable Freight Action Plan Hearing where Deputy Executive Officer Matt Miyasato testified on behalf of SCAQMD. Other witnesses testified on behalf of CARB, Caltrans, GoBiz, CEC, as well as the Ports of Los Angeles and Long Beach, SoCal Assoc. of Governments, truckers and shippers.
- Assembly Environmental Safety and Toxic Materials Committee: Waste Facility Closure (Exide): The committee held an oversight hearing, generally reviewing the closure and remediation plans. SCAQMD Executive Officer Barry Wallerstein testified during this hearing where community members emphasized the need for more state funding for a clean-up as well as the need to complete it quickly.

Assembly Utilities and Commerce Committee: Committee Chair Gatto held an informational hearing in the Porter Ranch community that outlined natural gas storage and usage throughout the state. Various state agencies and SoCalGas provided testimony. Mr. Gonzalez concluded his report to the Committee by noting that Senators De León, Huff, Pavley and Allen held a press conference at the entrance to the Aliso Canyon Natural Gas Storage Facility to announce their legislative package in response to the massive methane leak there. (Specific bills are presented by staff later during this Committee meeting.)

### **Report on the Aliso Canyon Natural Gas Leak Amendments to the Federal Energy Bill [Attachment 2]**

Marc Carrel, Program Supervisor, reported on the federal legislative amendment (Amendment No. 3194) to the bipartisan energy bill that was offered by California Senators Barbara Boxer and Dianne Feinstein to address the Aliso Canyon natural gas leak. The energy bill is currently being considered on the Senate floor. Amendment No. 3194 directs Energy Secretary Ernest Moniz to lead a federal task force which would undertake a broad federal review of the cause of and the response to the natural gas leak at the SoCalGas Aliso Canyon Natural Gas Storage Facility in Porter Ranch and make recommendations to prevent or better respond to future similar incidents. The

amendment was approved by voice vote of the U.S. Senate and adopted into the bill on February 2, 2016.

**Staff Recommended Position/Action:** Since the amendment was approved (though the bill is stalled in the Senate), staff recommends that the Legislative Committee on behalf of the SCAQMD Board send letters to Senators Boxer and Feinstein:

- (1) Thanking them for putting forward legislative language addressing this issue;
- (2) Expressing the District's support of this legislative amendment language;
- (3) Requesting that the amendment be included in other relevant bills should the energy bill not pass;
- (4) Offering to provide testimony to the task force as needed; and
- (5) Offering our staff as a resource to the Secretary and the task force as they address this issue.

The recommendation also includes sending letters to the entire California delegation, seeking their support of the Amendment.

Chair Antonovich inquired as to whether SCAQMD representatives have reached out to U.S. House Majority Leader Kevin McCarthy regarding this issue. Mr. Carrel responded in the negative but stated that a letter would be sent to his office requesting his support for the amendment. Chair Antonovich requested that SCAQMD representatives make a personal visit to Majority Leader McCarthy's office regarding this issue. Dr. Barry Wallerstein, Executive Officer, stated that this request would be incorporated into the staff recommendations on this item.

*Moved by Buscaino; seconded by Parker; passed by a 4-0 vote, with 1 abstention.  
Ayes: Antonovich, Burke, Buscaino, Parker  
Noes: None  
Abstention: Rutherford\*  
Absent: Mitchell*

*\*Due to technical difficulties with the VT location site the Committee member was unable to hear the complete presentation.*

### **Recommend Position on Porter Ranch/Aliso Canyon Related State Bills [Attachment 3]**

Lisha Smith, Deputy Executive Officer presented on the following two bills:

#### **SB 886 / SB 380<sup>2</sup> (Pavley) Natural Gas Storage: Moratorium**

SB 886 requires a moratorium on injections of natural gas into any wells located at the Aliso Canyon Natural Gas Storage Facility until an extensive well audit has been

---

<sup>2</sup> The committee took a support position on SB 886 (Pavley), but that language was gutted and amended into SB 380 (Pavley). SB 886 is now a vehicle for another bill.

performed. It also requires the CPUC to evaluate the possible minimization or elimination of the facility.

***Staff recommended a position of SUPPORT AND CONTINUE TO WORK WITH AUTHOR ON DETAILS INVOLVING AIR QUALITY.***

*Moved by Buscaino; seconded by Antonovich; passed by a 4-0 vote, with 1 abstention.*

*Ayes: Antonovich, Burke, Buscaino, Parker*

*Noes: None*

*Abstention: Rutherford\**

*Absent: Mitchell*

*\*Due to technical difficulties with the VT location site the Committee member was unable to hear the complete presentation.*

*[PLEASE NOTE: The bill language of SB 886 (Pavley) was gutted and amended into SB 380 (Pavley) which was already further along the bicameral legislative process. SB 380 (Pavley) was heard in the Assembly Utilities and Commerce Committee on February 22, 2016 at which time Deputy Executive Officer Lisha B. Smith testified in support on behalf of SCAQMD.]*

### **SB 887 (Pavley) Natural Gas Storage Wells**

To prevent incidents such as the one that occurred at the Aliso Canyon Natural Gas Storage Facility and provide better public transparency in the operation of such facilities, SB 887 creates a comprehensive framework for DOGGR's oversight of natural gas storage wells.

***Staff recommended a position of SUPPORT AND CONTINUE TO WORK WITH AUTHOR ON DETAILS INVOLVING AIR QUALITY.***

*Moved by Buscaino; seconded by Burke; unanimously approved.*

*Ayes: Antonovich, Burke, Buscaino, Parker, Rutherford*

*Noes: None*

*Absent: Mitchell*

Guillermo Sanchez, Sr. Public Affairs Manager reported on:

### **SB 888 (Allen) Gas Corporations: Emergency Management**

SB 888 designates the Office of Emergency Services as the lead agency for emergency response for leaks of natural gas from storage facilities like Aliso Canyon. It would be required to coordinate the emergency response, public health and environmental assessment, monitoring, and control of the leak among other state agencies. In addition, the bill requires that any monies paid for fines, penalties, mitigation costs, or damages be paid by the corporation and its shareholders, not recoverable from ratepayers.



***Staff recommended a position of SUPPORT AND CONTINUE TO WORK WITH AUTHOR ON DETAILS INVOLVING AIR QUALITY.***

*Moved by Parker; seconded by Burke; unanimously approved.*

*Ayes: Antonovich, Burke, Buscaino, Parker, Rutherford*

*Noes: None*

*Absent: Mitchell*

**State and Federal Legislative Proposals Providing for Additional Cost Considerations in SCAQMD's Regulatory Programs**

Kurt Wiese, SCAQMD General Counsel, reported on the efforts of the SCAQMD Ad Hoc Committee on Large Compliance Investments and Future Regulatory Certainty. That Committee has focused on two related issues: 1) Protecting business investments in large equipment purchases, and; 2) Enabling business to recover investments in large equipment by operating it to the end of its useful life. As shared by Supervisor Rutherford, there is a concern that providing for additional cost considerations in SCAQMD's regulatory program are being stymied by limitations in existing state and federal law. Consequently, staff sought direction from the Legislative Committee on whether to prepare state and federal legislative proposals allowing further consideration of costs for the Legislative Committee's future consideration.

*Moved by Rutherford to have staff return with both state and federal bill language; seconded by Burke; unanimously approved.*

*Ayes: Antonovich, Burke, Buscaino, Parker, Rutherford*

*Noes: None*

*Absent: Mitchell*

**Reports from SCAQMD Home Rule Advisory Group [Attachment 4]**

Please refer to Attachment 4 for written reports.

**Other Business:**

None

**Public Comment Period:**

No public comment.

**Attachments**

1. Attendance Record
2. Report on Aliso Canyon Natural Gas Leak Amendments to the Federal Energy Bill
3. Recommend Position on Porter Ranch/Aliso Canyon Related State Bills
4. SCAQMD Home Rule Advisory Group Report

## ATTACHMENT 1

ATTENDANCE RECORD –February 12, 2016

### **SCAQMD BOARD MEMBERS:**

Supervisor Michael Antonovich, Acting Chair (Videoconference)  
Dr. William A., Burke (Videoconference)  
Councilmember Joe Buscaino (Videoconference)  
Dr. Clark E. Parker (Videoconference)  
Supervisor Janice Rutherford (Videoconference)

### **STAFF TO COMMITTEE:**

Lisha B. Smith, Deputy Executive Officer  
Guillermo Sanchez, Senior Public Affairs Manager  
Julie Franco, Senior Administrative Secretary

### **SCAQMD STAFF:**

Leeor Alpern, Senior Public Information Specialist (Videoconference)  
Naveen Berry, Planning & Rules Manager  
Barbara Baird, Chief Deputy Counsel  
Marc Carrel, Program Supervisor  
Philip Crabbe, Community Relations Manager  
Tina Cox, Senior Public Information Specialist  
Matt Miyasato, Deputy Executive Officer  
Robert Paud Telecommunications Supervisor  
Barbara Radlein, AQ Specialist  
Laki Tisopolous, Assistant Deputy Executive Officer  
Todd Warden, Senior Public Information Specialist (Videoconference)  
Kim White, Public Affairs Specialist  
Rainbow Yeung, Senior Public Information Specialist (Videoconference)  
Barry R. Wallerstein, Executive Officer

### **OTHERS PRESENT:**

Tricia Almiron, SANBAG  
David Czamanske, Governing Board Consultant (Cacciotti)  
Tom Dennis, Cassidy & Associates (teleconference)  
Kaleb Froehlich, Cassidy & Associates (teleconference)  
Jason Gonsalves, Joe A. Gonsalves & Son (teleconference)  
Paul Gonsalves, Joe A. Gonsalves & Son (teleconference)  
Will Gonzalez, Gonzalez, Quintana, Hunter & Cruz (teleconference)  
Stewart Harris, The Carmen Group (teleconference)  
Gary Hoitsma, The Carmen Group (teleconference)  
Mark Kadesh, Kadesh & Associates (teleconference)  
Chris Kierig, Kadesh & Associates (teleconference)  
Bill LaMarr, California Small Business Alliance  
Rita Loof, RadTech  
Margot Malarkey, Association of American Railroads  
Debra Mendelsohn, Governing Board Consultant (Antonovich)  
Clayton Miller, Construction Industry Air Quality Coalition  
Noel Muyco, SoCalGas  
David Rothbart, Los Angeles County Sanitation District  
Susan Stark, Tesoro  
Warren Weinstein, Kadesh & Associates (teleconference)  
Peter Whittingham, CP & A

## **ATTACHMENT 2**

### **Senators Boxer and Feinstein Amendment No. 3194 – “Aliso Canyon Natural Gas Leak Task Force” to S. 2012 (Murkowski) – Energy Policy Modernization Act of 2015**

**Summary:** Amendment No. 3194 directs Energy Secretary Ernest Moniz to lead a federal task force which would undertake a broad federal review of the cause of and the response to the natural gas leak at the SoCalGas Aliso Canyon Natural Gas Storage Facility in Porter Ranch and make recommendations to prevent or better respond to future similar incidents.

**Background:** This amendment is now included as part of a broader federal energy bill that is still under negotiation in the U.S. Senate. The actions being recommended by staff for consideration by the SCAQMD Legislative Committee only relate to the specific amendment language, and not the larger bill.

**Status:** On February 2, 2016, the U.S. Senate approved by a voice vote an amendment offered by California Senators Barbara Boxer and Dianne Feinstein to address the Aliso Canyon natural gas leak in the bipartisan energy bill. This bill is currently being considered on the Senate floor.

**Specific Provisions:** Specifically, this amendment language would:

- (1) Direct Energy Secretary Ernest Moniz to lead a federal task force which would undertake a broad federal review of the cause and the response to the natural gas leak at the SoCalGas Aliso Canyon Natural Gas Storage Facility in Porter Ranch as well as an analysis of:
  - Measures taken to stop the natural gas leak
  - Its impact on the health, safety, environment, and economy of the residents and property surrounding Aliso Canyon
  - How federal and State agencies responded
  - Impacts on wholesale and retail electricity prices
  - Recommendations as to other data needed and other measures to prevent future such incidents.
  
- (2) Direct that in addition to the Energy Department, the seven-member task force would include representatives from the Pipeline and Hazardous Materials Safety Administration, the Department of Health and Human Services, the Environmental Protection Agency, the Department of the Interior, the Department of Commerce, and the Federal Energy Regulatory Commission;

(3) Direct the task force to issue findings within six months. In addition, the task force is required to immediately issue findings if it finds methods to solve the natural gas leak, better protect the affected communities, or finds methods to prevent other leaks.

(4) Direct the task force to review and issue recommendations on whether to continue operations at Aliso Canyon and other facilities in close proximity to residential populations based on an assessment of the risk of a future natural gas leak.

**Impacts on SCAQMD’s Mission, Operations or Initiatives:** This legislative amendment language would help benefit the safety and public health of residents of the South Coast region by addressing air pollution issues of the SoCalGas Aliso Canyon Natural Gas Storage Facility in Porter Ranch and seeking to prevent future similar large scale natural gas leaks.

**Recommended Position/Action:** Since the amendment was approved (though the bill is stalled in the Senate), staff recommends that the Legislative Committee on behalf of the SCAQMD Board send letters to Senator Boxer and Feinstein:

- (1) Thanking them for putting forward legislative language addressing this issue;
- (2) Expressing the District’s support of this legislative amendment language;
- (3) Requesting that the amendment be included in other relevant bills should the energy bill not pass;
- (4) Offering to provide testimony to the task force as needed; and
- (5) Offering our staff as a resource to the Secretary and the task force as they address this issue.

The recommendation also includes sending letters to the entire California delegation, seeking their support of the Amendment.

## **Amendment No. 3194, as modified**

(Purpose: To direct the Secretary of Energy to establish a task force to analyze and assess the Aliso Canyon natural gas leak)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. ALISO CANYON NATURAL GAS LEAK TASK FORCE.

(a) FINDINGS.---- Congress finds that--

-- (1) on October 23, 2015, a natural gas leak was discovered at a well within the Aliso Canyon Natural Gas Storage Facility in Los Angeles County in the State of California, and as of January 27, 2016, attempts by the Southern California Gas Company (referred to in this section as the ``Company") to stop the leak have not been successful; (2) the leak appears to be caused by damage to the well casing at approximately 500 feet underground; (3) the Company has attempted several times to plug the well, but as of January 28, 2016, those efforts have been unsuccessful; (4) many residents in the nearby community have reported adverse physical symptoms including dizziness, nausea, and nosebleeds as a result of the natural gas leak, and the continuing emissions from the leak have resulted in the relocation of thousands of people away from their homes and livelihoods; (5) local schools have temporarily closed, many businesses have been negatively impacted, and regular public services such as mail delivery have also been disrupted; (6) more than 86,500,000 kilograms of methane, a powerful greenhouse gas, have been emitted into the atmosphere, which is---- (A) the equivalent of 2,200,000 metric tons of carbon dioxide; or (B) more greenhouse gas than 468,000 cars emit in 1 year; (7) agencies of the State of California issued an emergency order on December 10, 2015, prohibiting injection of natural gas into the Aliso Canyon Storage Facility until further authorization; and

(b) Establishment of Task Force.--Not later than 15 days after the date of enactment of this Act, the Secretary shall lead and establish an Aliso Canyon Task Force (referred to in this section as the ``task force").

(c) Membership of Task Force.--In addition to the Secretary, the task force shall be composed of--

- (1) 1 representative from the Pipeline and Hazardous Materials Safety Administration;
- (2) 1 representative from the Department of Health and Human Services;
- (3) 1 representative from the Environmental Protection Agency;
- (4) 1 representative from the Department of the Interior;
- (5) 1 representative from the Department of Commerce; and
- (6) 1 representative from the Federal Energy Regulatory Commission.

(d) Report.--

(1) Final report.--

(A) In general.--Not later than 180 days after the date of enactment of this Act, the task force shall submit a final report that contains the information described in subparagraph (B) to--

- (i) the Committee on Energy and Natural Resources of the Senate;
- (ii) the Committee on Natural Resources of the House of Representatives;
- (iii) the Committee on Environment and Public Works of the Senate;
- (iv) the Committee on Transportation and Infrastructure of the House of Representatives;
- (v) the Committee on Commerce, Science, and Transportation

of the Senate;

(vi) the Committee on Energy and Commerce of the House of Representatives;

(vii) the Committee on Health, Education, Labor, and Pensions of the Senate;

(viii) the Committee on Education and the Workforce of the House of Representatives;

(ix) the President; and

(x) relevant Federal and State agencies.

(B) Information included.--The report submitted under subparagraph (A) shall include, at a minimum--

(i) an analysis and conclusion of the cause of the Aliso Canyon natural gas leak;

(ii) an analysis of measures taken to stop the natural gas leak, with an immediate focus on other, more effective measures that could be taken;

(iii) an assessment of the impact of the natural gas leak on health, safety, the environment, and the economy of the residents and property surrounding Aliso Canyon;

(iv) an analysis of how Federal and State agencies responded to the natural gas leak;

(v) in order to lessen the negative impacts of natural gas leaks, recommendations on how to improve--

(I) the response to a future leak; and

(II) coordination between all appropriate Federal, State, and local agencies in the response to the Aliso Canyon natural gas leak and future natural gas leaks;

(vi) an analysis of the potential for a similar natural gas leak to occur at other underground natural gas storage facilities in the United States;

(vii) recommendations on how to prevent any future natural

gas leaks;

(viii) recommendations on whether to continue operations at Aliso Canyon and other facilities in close proximity to residential populations based on an assessment of the risk of a future natural gas leak;

(ix) a recommendation on information that is not currently collected but that would be in the public interest to collect and distribute to agencies and institutions for the continued study and monitoring of natural gas infrastructure in the United States;

(x) an analysis of the impact of the Aliso Canyon natural gas leak on wholesale and retail electricity prices; and

(xi) an analysis of the impact of the Aliso Canyon natural gas leak on the reliability of the bulk-power system.

(2) Publication.--The final report under paragraph (1) shall be made available to the public in an electronically accessible format.

(3) If, before the final report is submitted under paragraph (1) the task force finds methods to solve the natural gas leak at Aliso Canyon; better protect the affected communities; or finds methods to help prevent other leaks, they must immediately issue such findings to the same entities that are to receive the final report.

(e) Authorization of Appropriations.--There are authorized to be appropriated to carry out this section such sums as may be necessary.



### ATTACHMENT 3

#### **SB 886 / SB 380<sup>1</sup> (Pavley) Aliso Canyon Natural Gas Storage Facility Moratorium**

**Summary:** This bill requires a moratorium on injections of natural gas into any wells located at the Aliso Canyon storage facility until an extensive well audit has been performed to DOGGR’s satisfaction, and the minimization or elimination of the Aliso Canyon storage facility shall be evaluated by the CPUC.

**Background:** Southern California Gas Company (SoCalGas) operates the Aliso Canyon Storage Facility in Porter Ranch in Northwest Los Angeles County. That reservoir has the capacity to store over 160 billion cubic feet of natural gas and SoCalGas operates about 115 injection and withdrawal wells throughout the site. It injects natural gas into the underground reservoir when the demand for natural gas is low and withdraws it when the demand for natural gas is high.

On October 23, 2015 SoCalGas discovered that a well (known as Well SS-25) used to inject and withdraw natural gas from the underground storage reservoir at their Aliso Canyon facility was leaking. Over three months later, the well continues to be a major source of methane emissions – likely the single largest point source of greenhouse gas emissions in the state during this time period – with cumulative emissions to date estimated to be on the order of the annual emissions from 450,000 cars or over 6% of the total annual emissions from all of California’s oil refineries. The leak has caused major and unprecedented upheaval in the Porter Ranch community. There are numerous reports of local residents, including children, experiencing health problems. The Los Angeles Unified School District temporarily closed two schools and relocated the students. In addition to health concerns, community members have additionally raised business losses, environmental impacts and damage to property values, among other concerns. Over 4,500 households have relocated (at SoCal Gas’ expense) and an additional 1,100 have been offered opportunities to relocate.

Seven efforts to “kill” the leaking well have failed and the Division of Oil, Gas and Geothermal Resources (DOGGR) ordered that a relief well be drilled. Current estimates are that the leak will be controlled using this relief well by March 2016. The leaking well was originally drilled in 1953 and numerous concerns have been raised about the age, maintenance practices and safety of the Aliso Canyon facility.

From October 23, 2015 through February 9, 2016 the SCAQMD has received nearly 2,300 odor complaints from the public regarding Aliso Canyon. From the onset, SCAQMD staff has participated in daily calls with SoCalGas and other government agencies to coordinate a response to the leak. SCAQMD staff has also participated in hearings regarding the SoCalGas

---

<sup>1</sup> The committee took a support position on SB 886 (Pavley), but that language was gutted and amended into SB 380 (Pavley). SB 886 is now a vehicle for another bill.

Aliso Canyon leak before the Los Angeles County Board of Supervisors and Los Angeles City Council. SCAQMD staff has also participated in a number of community meetings, including with the Porter Ranch Neighborhood Council. In addition, SCAQMD staff has reviewed and commented on the odor mitigation and air monitoring plans proposed by SoCalGas and has participated in daily conference calls with SoCalGas and other first-responding and environmental and public health agencies at the state and local level about the status of well repair and odor abatement activities.

On November 5, 2015, the SCAQMD issued a Notice to Comply to SoCalGas and on November 23, 2015, SCAQMD issued a Notice of Violation (NOV) alleging an ongoing public nuisance pursuant to H&S Code §41700 and District Rule 402. After lengthy testimony and in response to a petition filed by the SCAQMD on December 10, 2015, the SCAQMD Hearing Board on January 23<sup>rd</sup> ordered SoCalGas to take immediate action to minimize odors and air pollution from the massive gas leak near Porter Ranch. Further, on January 26, SCAQMD filed a complaint with the Los Angeles County Superior Court against SoCaGas for creating a public nuisance.

As proposed by Supervisor Antonovich, the SCAQMD Governing Board passed Resolution 16-1 on January 8, 2016. It urges that Governor Edmund G. Brown, Jr. request that funds obtained from the Southern California Gas Company for a greenhouse gas program to mitigate methane emissions be spent on measures to benefit the Porter Ranch community adversely impacted by those emissions, and the Southern California region to the extent that it is infeasible to conduct projects in Porter Ranch.

On January 11, Senators DeLeon, Pavley, Allen and Huff announced their legislative package in response to this incident, intending to address the state and region's public safety needs while recognizing the need for energy reliability.

**Status:** 1/28/2016 Referred to Committee on Natural Resources & Water and the Committee on Environmental Quality.

**Specific Provisions:** This bill is an urgency measure and would go into effect immediately after passage and signature by the Governor. Specifically, the bill would:

- Require an immediate moratorium on natural gas injection into any wells located at the Aliso Canyon reservoir.
- Restrict production of gas through wells drilled prior to 1954 at Aliso Canyon until those wells have been inspected and determined to meet the conditions listed below.
- The moratorium and restrictions will stay in effect until the following conditions are met:
  - The integrity of the gas storage wells have been “quantitatively and objectively evaluated using state-of-the-art technology.” The methods used will be determined with input from experts and the community in a public process.
  - Any well posing an enhanced risk of failure is repaired.

- DOGGR determines that the overall risk from well failure to the community from the facility is low and the California Public Utilities Commission (CPUC) and the California Energy Commission agree.
- Additionally, the CPUC will evaluate whether the Aliso Canyon storage facility can be shut-down or its use minimized without affecting regional energy reliability.

### **Impacts on SCAQMD’s mission, operations or initiatives:**

This bill builds upon DOGGR’s orders to SoCalGas and its recently proposed emergency regulations, the Governor’s January 6, 2016 State of Emergency Declaration and the Order for Abatement issued by the SCAQMD hearing Board on January 23, 2016. This bill is consistent with SCAQMD’s efforts to protect the public, the region’s need for energy reliability, and SCAQMD’s Order of Abatement which includes requirements to:

- Immediately cease and desist from operating the Aliso Canyon storage facility in a manner that violates H&S Code §41700<sup>2</sup> and District Rule 402<sup>3</sup>;
- Permanently seal the well;
- Implement an enhanced well inspection, maintenance, leak detection and reporting program;
- Conduct a health study on the potential impacts of the exposure that may potentially affect the nearby communities; and
- Publish and enact an air quality notification plan.

### **Recommended Position: SUPPORT AND CONTINUE TO WORK WITH AUTHOR ON DETAILS INVOLVING AIR QUALITY AND SCAQMD OPERATIONS.**

---

<sup>2</sup> Health and Safety Code § 41700.

(a) Except as otherwise provided in Section 41705, a person shall not discharge from any source whatsoever quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property.

<sup>3</sup> SCAQMD Rule 402 Nuisance

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

**Introduced by Senator Pavley**  
**(Principal coauthors: Senators De León and Huff)**  
**(Coauthor: Senator Allen)**  
(Coauthor: Assembly Member Wilk)

January 20, 2016

---

---

An act to add Section 3217 to the Public Resources Code, and to add Section 713 to the Public Utilities Code, relating to natural gas, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 886, as introduced, Pavley. Natural gas storage: moratorium.

(1) Under existing law, the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation regulates the drilling, operation, maintenance, and abandonment of oil and gas wells in the state. Existing law requires the State Oil and Gas Supervisor to supervise the drilling, operation, maintenance, and abandonment of wells and the operation, maintenance, and removal or abandonment of tanks and facilities related to oil and gas production within an oil and gas field, so as to prevent damage to life, health, property, and natural resources, as provided; to permit owners and operators of wells to utilize all known methods and practices to increase the ultimate recovery of hydrocarbons; and to perform the supervisor's duties in a manner that encourages the wise development of oil and gas resources to best meet oil and gas needs in this state. Under existing law, a person who fails to comply with certain requirements relating to the regulation of oil or gas operations is guilty of a misdemeanor.

This bill would require the supervisor to immediately institute a moratorium on injections of natural gas into any wells located within and serving the Aliso Canyon storage facility located in the County of

Los Angeles until specified conditions are met. The bill would also require the supervisor to prohibit the production of natural gas by any well originally drilled earlier than 1954 at the Aliso Canyon storage facility located in the County of Los Angeles until specified conditions are met, except as specified. Because a violation of these requirements would be a crime, the bill would impose a state-mandated local program.

(2) Under existing law, the Public Utilities Commission is authorized to supervise and regulate every public utility in the state.

This bill would require the commission to determine the feasibility of minimizing or eliminating use of the Aliso Canyon natural gas storage facility located in the County of Los Angeles while still maintaining energy reliability for the region, and to consult with specified entities in making its determination.

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

This bill would provide that no reimbursement is required by this act for a specified reason.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: yes.

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

1 SECTION 1. Section 3217 is added to the Public Resources  
 2 Code, to read:  
 3 3217. (a) The supervisor shall immediately institute a  
 4 moratorium on injections of natural gas into any wells located  
 5 within and serving the Aliso Canyon storage facility located in the  
 6 County of Los Angeles until all of the following conditions are  
 7 met:  
 8 (1) The integrity of each well has been quantitatively and  
 9 objectively evaluated using state-of-art technology and the risks  
 10 posed by well failure have been evaluated.  
 11 (A) The age, history, and condition of each well shall be  
 12 specifically addressed, with particular emphasis on wells drilled  
 13 prior to 2006.  
 14 (B) The technical methods and equipment used to evaluate well  
 15 integrity and the risks posed by well failure shall be determined

1 by the supervisor with input from independent experts and the  
2 public through a public process.

3 (2) Any well posing an enhanced risk of failure has been  
4 repaired to mitigate the enhanced risk or plugged and abandoned.

5 (3) The supervisor determines that the overall risk from well  
6 failure satisfies the supervisor’s duty pursuant to Section 3106 to  
7 prevent damage to life, health, property, and natural resources and  
8 other requirements.

9 (4) The Public Utilities Commission and the State Energy  
10 Resources Conservation and Development Commission concur  
11 with the supervisor’s determination in paragraph (3).

12 (b) The supervisor shall prohibit the production of natural gas  
13 by any well originally drilled earlier than 1954 at the Aliso Canyon  
14 storage facility located in the County of Los Angeles until after  
15 the integrity of and the risks associated with any of these wells  
16 have been evaluated and determinations by the supervisor, with  
17 the concurrence of the commissions, have been made pursuant to  
18 the process described in subdivision (a), except when necessary  
19 to do either of the following:

20 (1) Respond to the uncontrolled leak of natural gas from the  
21 “Standard Sesnon 25” well (American Petroleum Institute  
22 identification number 03700776).

23 (2) Maintain regional energy reliability, at the written direction  
24 of the commissions.

25 SEC. 2. Section 713 is added to the Public Utilities Code, to  
26 read:

27 713. The commission shall determine the feasibility of  
28 minimizing or eliminating use of the Aliso Canyon natural gas  
29 storage facility located in the County of Los Angeles while still  
30 maintaining energy reliability for the region. The commission shall  
31 consult with the State Energy Resources Conservation and  
32 Development Commission, the Independent System Operator, the  
33 Division of Oil, Gas, and Geothermal Resources in the Department  
34 of Conservation, and other relevant government entities, in making  
35 its determination.

36 SEC. 3. No reimbursement is required by this act pursuant to  
37 Section 6 of Article XIII B of the California Constitution because  
38 the only costs that may be incurred by a local agency or school  
39 district will be incurred because this act creates a new crime or  
40 infraction, eliminates a crime or infraction, or changes the penalty

1 for a crime or infraction, within the meaning of Section 17556 of  
2 the Government Code, or changes the definition of a crime within  
3 the meaning of Section 6 of Article XIII B of the California  
4 Constitution.

5 SEC. 4. This act is an urgency statute necessary for the  
6 immediate preservation of the public peace, health, or safety within  
7 the meaning of Article IV of the Constitution and shall go into  
8 immediate effect. The facts constituting the necessity are:

9 In order to mitigate, at the earliest possible time, ongoing harm  
10 from the gas leak at the Aliso Canyon storage facility, and to  
11 evaluate the integrity of and the risks associated with older wells  
12 at that facility, it is necessary that this act take effect immediately.

AMENDED IN SENATE JANUARY 27, 2016

**SENATE BILL**

**No. 380**

---

---

**Introduced by Senator ~~Allen Pavley~~**  
*(Principal coauthors: Senators De León and Huff)*  
*(Coauthors: Senators Allen and Runner)*  
*(Coauthor: Assembly Member Wilk)*

February 24, 2015

---

---

~~An act to add Article 24 (commencing with Section 70050) to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, relating to student financial aid. An act to add Section 3217 to the Public Resources Code, and to add Section 713 to the Public Utilities Code, relating to natural gas, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 380, as amended, ~~Allen Pavley. Student financial aid: Topline Teacher Recruitment and Retention Program. Natural gas storage: moratorium.~~

*(1) Under existing law, the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation regulates the drilling, operation, maintenance, and abandonment of oil and gas wells in the state. Existing law requires the State Oil and Gas Supervisor to supervise the drilling, operation, maintenance, and abandonment of wells and the operation, maintenance, and removal or abandonment of tanks and facilities related to oil and gas production within an oil and gas field, so as to prevent damage to life, health, property, and natural resources, as provided; to permit owners and operators of wells to utilize all known methods and practices to increase the ultimate recovery of hydrocarbons; and to perform the supervisor's duties in a*



*manner that encourages the wise development of oil and gas resources to best meet oil and gas needs in this state. Under existing law, a person who fails to comply with certain requirements relating to the regulation of oil or gas operations is guilty of a misdemeanor.*

*This bill would require the supervisor to immediately institute a moratorium on injections of natural gas into any wells located within and serving the Aliso Canyon storage facility located in the County of Los Angeles until specified conditions are met. The bill would also require the supervisor to prohibit the production of natural gas by any well originally drilled earlier than 1954 at the Aliso Canyon storage facility located in the County of Los Angeles until specified conditions are met, except as specified. Because a violation of these requirements would be a crime, the bill would impose a state-mandated local program.*

*(2) Under existing law, the Public Utilities Commission is authorized to supervise and regulate every public utility in the state.*

*This bill would require the commission to determine the feasibility of minimizing or eliminating use of the Aliso Canyon natural gas storage facility located in the County of Los Angeles while still maintaining energy reliability for the region, and to consult with specified entities in making its determination.*

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

*This bill would provide that no reimbursement is required by this act for a specified reason.*

*(4) This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law establishes the Student Aid Commission as the state agency charged with the responsibility of administering student financial aid programs, including the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program, the Assumption Program of Loans for Education, the State Nursing Assumption Program of Loans for Education, the Graduate Assumption Program of Loans for Education, and the Middle Class Scholarship Program, among other programs.~~

~~This bill would express the intent of the Legislature to enact legislation to establish the Topline Teacher Recruitment and Retention Program, under the administration of the Student Aid Commission, which would make funds available to students at public postsecondary educational~~

institutions who have graduated in the top 5% of their secondary school classes and have committed to teaching in public secondary schools for a specified number of years.

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: ~~no~~<sup>yes</sup>. State-mandated local program: ~~no~~<sup>yes</sup>.

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

1     SECTION 1. Section 3217 is added to the Public Resources  
2 Code, to read:

3     3217. (a) The supervisor shall immediately institute a  
4 moratorium on injections of natural gas into any wells located  
5 within and serving the Aliso Canyon storage facility located in the  
6 County of Los Angeles until all of the following conditions are  
7 met:

8     (1) The integrity of each well has been quantitatively and  
9 objectively evaluated using state-of-the-art technology and the  
10 risks posed by well failure have been evaluated.

11     (A) The age, history, and condition of each well shall be  
12 specifically addressed, with particular emphasis on wells drilled  
13 prior to 2006.

14     (B) The technical methods and equipment used to evaluate well  
15 integrity and the risks posed by well failure shall be determined  
16 by the supervisor with input from independent experts and the  
17 public through a public process.

18     (2) Any well posing an enhanced risk of failure has been  
19 repaired to mitigate the enhanced risk or plugged and abandoned.

20     (3) The supervisor determines that the overall risk from well  
21 failure satisfies the supervisor’s duty pursuant to Section 3106 to  
22 prevent damage to life, health, property, and natural resources  
23 and other requirements.

24     (4) The Public Utilities Commission and the State Energy  
25 Resources Conservation and Development Commission concur  
26 with the supervisor’s determination in paragraph (3).

27     (b) The supervisor shall prohibit the production of natural gas  
28 by any well originally drilled earlier than 1954 at the Aliso Canyon  
29 storage facility located in the County of Los Angeles until after  
30 the integrity of and the risks associated with any of these wells  
31 have been evaluated and determinations by the supervisor, with  
32 the concurrence of the commissions, have been made pursuant to

1 *the process described in subdivision (a), except when necessary*  
2 *to do either of the following:*

3 *(1) Respond to the uncontrolled leak of natural gas from the*  
4 *“Standard Sesnon 25” well (American Petroleum Institute*  
5 *identification number 03700776).*

6 *(2) Maintain regional energy reliability, at the written direction*  
7 *of the commissions.*

8 *SEC. 2. Section 713 is added to the Public Utilities Code, to*  
9 *read:*

10 *713. The commission shall determine the feasibility of*  
11 *minimizing or eliminating use of the Aliso Canyon natural gas*  
12 *storage facility located in the County of Los Angeles while still*  
13 *maintaining energy reliability for the region. The commission shall*  
14 *consult with the State Energy Resources Conservation and*  
15 *Development Commission, the Independent System Operator, the*  
16 *Division of Oil, Gas, and Geothermal Resources in the Department*  
17 *of Conservation, and other relevant government entities, in making*  
18 *its determination.*

19 *SEC. 3. No reimbursement is required by this act pursuant to*  
20 *Section 6 of Article XIII B of the California Constitution because*  
21 *the only costs that may be incurred by a local agency or school*  
22 *district will be incurred because this act creates a new crime or*  
23 *infraction, eliminates a crime or infraction, or changes the penalty*  
24 *for a crime or infraction, within the meaning of Section 17556 of*  
25 *the Government Code, or changes the definition of a crime within*  
26 *the meaning of Section 6 of Article XIII B of the California*  
27 *Constitution.*

28 *SEC. 4. This act is an urgency statute necessary for the*  
29 *immediate preservation of the public peace, health, or safety within*  
30 *the meaning of Article IV of the Constitution and shall go into*  
31 *immediate effect. The facts constituting the necessity are:*

32 *In order to mitigate, at the earliest possible time, ongoing harm*  
33 *from the gas leak at the Aliso Canyon storage facility, and to*  
34 *evaluate the integrity of and the risks associated with older wells*  
35 *at that facility, it is necessary that this act take effect immediately.*

36 ~~*SECTION 1. Article 24 (commencing with Section 70050) is*~~  
37 ~~*added to Chapter 2 of Part 42 of Division 5 of Title 3 of the*~~  
38 ~~*Education Code, to read:*~~

1 Article 24. ~~Topline Teacher Recruitment and Retention Program~~

2

3 70050. ~~It is the intent of the Legislature to enact legislation to~~  
4 ~~establish the Topline Teacher Recruitment and Retention Program,~~  
5 ~~under the administration of the Student Aid Commission, to make~~  
6 ~~funds available to students at public postsecondary educational~~  
7 ~~institutions who have graduated in the top 5 percent of their~~  
8 ~~secondary school classes and have committed to teaching in public~~  
9 ~~secondary schools for a specified number of years.~~

O

## **SB 887 (Pavley) Natural Gas Storage Wells**

**Summary:** SB 887 creates a comprehensive framework for DOGGR’s oversight of natural gas storage wells.

**Background:** Southern California Gas Company (SoCalGas) operates the Aliso Canyon Storage Facility in Porter Ranch in northwest Los Angeles County. That reservoir has the capacity to store over 160 billion cubic feet of natural gas and SoCal Gas operates about 115 injection and withdrawal wells throughout the site. It injects natural gas into the underground reservoir when the demand for natural gas is low and withdraws it when the demand for natural gas is high.

On October 23, 2015 SoCalGas discovered that a well (known as Well SS-25) used to inject and withdraw natural gas from the underground storage reservoir at their Aliso Canyon facility was leaking. Over three months later, the well continues to be a major source of methane emissions – likely the single largest point source of greenhouse gas emissions in the state during this time period – with cumulative emissions to date estimated to be on the order of the annual emissions from 450,000 cars or over 6% of the total annual emissions from all of California’s oil refineries. The leak has caused major and unprecedented upheaval in the Porter Ranch community. There are numerous reports of local residents, including children, experiencing health problems. The Los Angeles Unified School District temporarily closed two schools and relocated the students. In addition to health concerns, community members have additionally raised business losses, environmental impacts and damage to property values, among other concerns. Over 4500 households have relocated (at SoCalGas’ expense) and an additional 1,100 have been offered opportunities to relocate.

Seven efforts to “kill” the leaking well have failed and the Division of Oil, Gas and Geothermal Resources (DOGGR) ordered that a relief well be drilled. Current estimates are that the leak will be controlled using this relief well by March 2016. The leaking well was originally drilled in 1953 and numerous concerns have been raised about the age, maintenance practices and safety of the Aliso Canyon facility.

From October 23, 2015 through February 9, 2016 the SCAQMD has received nearly 2,300 odor complaints from the public regarding Aliso Canyon. From the onset, SCAQMD staff has participated in daily calls with SoCalGas and other government agencies to coordinate a response to the leak. SCAQMD staff has also participated in hearings regarding the SoCalGas Aliso Canyon leak before the Los Angeles County Board of Supervisors and Los Angeles City Council. SCAQMD staff has also participated in a number of community meetings, including with the Porter Ranch Neighborhood Council. In addition, SCAQMD staff has reviewed and commented on the odor mitigation and air monitoring plans proposed by SoCalGas and has participated in daily conference calls with SoCalGas and other first-responding and environmental and public health agencies at the state and local level about the status of well repair and odor abatement activities.

On November 5, 2015, the SCAQMD issued a Notice to Comply to SoCalGas and on November 23, 2015, SCAQMD issued a Notice of Violation (NOV) alleging an ongoing public nuisance pursuant to H&S Code §41700 and District Rule 402. After lengthy testimony and in response to a petition filed by the SCAQMD on December 10, 2015, the SCAQMD Hearing Board on January 23<sup>rd</sup> ordered SoCalGas to take immediate action to minimize odors and air pollution from the massive gas leak near Porter Ranch. Further, on January 26, SCAQMD filed a complaint with the Los Angeles County Superior Court against SoCalGas for creating a public nuisance.

As proposed by Supervisor Antonovich, the SCAQMD Governing Board passed Resolution 16-1 on January 8, 2016. It urges that Governor Edmund G. Brown, Jr. request that funds obtained from the Southern California Gas Company for a greenhouse gas program to mitigate methane emissions be spent on measures to benefit the Porter Ranch community adversely impacted by those emissions, and the Southern California region to the extent that it is infeasible to conduct projects in Porter Ranch.

On January 11, Senators DeLeon, Pavley, Allen and Huff announced their legislative package in response to this incident, intending to address the state and region's public safety needs and need for energy reliability.

**Status:** 1/28/2016 Referred to Committee on Natural Resources & Water and the Committee on Environmental Quality.

**Specific Provisions:**

SB 887 will:

- Set new minimum standards for natural gas storage wells including annual inspections, mandatory setbacks from homes and schools, stricter requirements near homes and schools, automatic downhole shutoff systems (i.e. subsurface safety valves), regular proactive and quantitative evaluations of well integrity, continuous well operation and air quality monitoring, and limiting production and injection to well tubing only, among others.
- Require the phase-out of old wells and require existing wells to be brought in compliance with SB 887's requirements.
- Require operators of natural gas storage wells to submit the following plans for DOGGR's approval by a date to be determined: well maintenance; operating parameters and conditions; air quality monitoring; and leak prevention and response prior to approving or reworking gas storage wells. The leak prevention and response plan shall include at a minimum protocol for public notification of any leak, training, and pre-positioning of response equipment. Preparations for drilling a relief well must start within 24 hours of a significant leak.
- Provide for an independent panel of experts to develop "best practices" for natural gas storage wells that DOGGR shall review and incorporate into its regulations.
- Require all natural gas storage well operators to disclose all well-related operations and activities to DOGGR.

To provide **public transparency** in response to public concerns, SB 887 additionally requires:

- Public review of the location of a natural gas well or conversion of an existing well to a natural gas storage well.
- Immediate notification to DOGGR of leaking wells.
- Adds the new SB 887 provisions to DOGGR’s civil penalty authority and subjects violators to a penalty not to exceed \$25,000 for each violation.
- DOGGR shall post leaking well information on its website and provide regular updates to the public.

SB 887 further:

- Provides the public standing to force enforcement of SB 887’s provisions through a writ of mandate.
- Requires the California Air Resources Board (CARB) with local air districts and others to develop a comprehensive and continuous monitoring program for the ambient concentration of natural gas, including spectral imaging, at natural gas storage facilities.
- Requires DOGGR, in consultation with health regulators, to perform a risk assessment of natural gas storage wells that includes addressing well age and the potential impact of a leak on the public and environment.

**Impacts on SCAQMD’s mission, operations or initiatives:**

SB 887 builds upon DOGGR’s orders to SoCalGas and its recently proposed emergency regulations, the Governor’s January 6, 2016 State of Emergency Declaration, and the SCAQMD Order for Abatement. SB 887’s proposed Health and Safety Code Section 42710 and Public Resources Code Section 3136 may create costs for the SCAQMD related to monitoring and enforcement. These proposed statutes require CARB to consult with local air districts and DOGGR to develop continuous air quality monitoring prior to a natural gas storage well being drilled or reworked. SB 887 mandates new requirements for notice of well drilling and reworking to DOGGR and the public. SCAQMD Rule 1148.2(d) currently requires oil and gas well operators to provide at least 10 days’ notice, but not less than 48 hours, prior to reworking or drilling a well.

**Recommended Position: SUPPORT AND CONTINUE TO WORK WITH AUTHOR ON DETAILS INVOLVING AIR QUALITY AND SCAQMD OPERATIONS.**

**Introduced by Senator Pavley**  
**(Coauthors: Senators Allen and De León)**  
(Coauthor: Assembly Member Wilk)

January 20, 2016

---

---

An act to add Chapter 6 (commencing with Section 42710) to Part 4 of Division 26 of the Health and Safety Code, and to amend Section 3236.5 of, and to add Sections 3133, 3134, 3135, 3136, 3137, 3138, 3139, 3140, 3141, 3142, 3143, and 3144 to, the Public Resources Code, relating to natural gas.

LEGISLATIVE COUNSEL'S DIGEST

SB 887, as introduced, Pavley. Natural gas storage wells.

Under existing law, the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation regulates the drilling, operation, maintenance, and abandonment of oil and gas wells in the state. Existing law provides that a person who fails to comply with specific laws relating to the regulation of oil or gas operations is guilty of a misdemeanor.

This bill would require, before January 1, 2018, and annually thereafter, the division to inspect all natural gas storage wells serving or located in a natural gas storage facility and would prescribe standards for a natural gas storage well. This bill would require a natural gas storage well in existence on December 31, 2016, to be brought into compliance with the provisions of this bill by an unspecified date and the use of wells older than an unspecified age to be phased out by an unspecified date. This bill would prohibit the division from issuing a permit for a new natural gas storage well located within an unspecified distance of a sensitive receptor, as defined, and would require the division to order operators to cease the use of, and plug and abandon,



an existing natural gas storage well that is within an unspecified distance of a sensitive receptor by an unspecified date. This bill would require, in the event of a loss of the integrity of a natural gas storage well, well casing, or cementing resulting in a significant, uncontrolled leak of natural gas, that preparations for the drilling of a relief well begin within 24 hours of the discovery of the leak. This bill would require the operator, in the event of a leak of any size from a natural gas storage well, to notify the division immediately and would require the division to post information about the leak on its Internet Web site, as prescribed. This bill would require the division to convene an independent panel of recognized experts to develop best practices for natural gas storage facilities and to review and incorporate the best practices developed by the panel into its regulations for natural gas storage wells, as appropriate, and for other wells under the division's jurisdiction, as applicable. This bill would require the division, in consultation with the Office of Environmental Health Hazard Assessment, the State Department of Public Health, and the Department of Industrial Relations, to perform a risk assessment of natural gas storage wells and to report the findings of the risk assessment to the Legislature. This bill would require the State Air Resources Board, in consultation with any local air district and the division, to develop guidelines for a monitoring program that includes continuous monitoring of the ambient concentration of natural gas at sufficient locations throughout a natural gas storage facility or planned natural gas storage facility to identify natural gas leaks. This bill would require all materials provided to the division to comply with these provisions to be posted and available to the public on its Internet Web site. Because a violation of these requirements would be a crime, the bill would impose a state-mandated local program.

Existing law requires the operator of a well to file a written notice of intention to commence drilling with, and prohibits any drilling until approval is given by, the supervisor or district deputy. Under existing law, the notice is deemed approved if the supervisor or district deputy fails to respond to the notice in writing within 10 working days from receipt and is deemed canceled if operations have not commenced within one year of receipt. Existing law provides that these provisions also apply to the deepening or redrilling of the well, any operation involving the plugging of the well, or any operations permanently altering in any manner the casing of the well.

This bill would require certain materials, relating to wells serving or located in a natural gas storage facility, to be submitted by the operator

and approved at the supervisor’s discretion before approval of the notice. This bill would provide that the public has a right to review the location of all new natural gas storage wells or existing wells converting to a natural gas storage well before the approval of the notice.

Existing law requires the owner or operator of any well to keep, or cause to be kept, a careful and accurate log, core record, and history of the drilling of the well.

This bill would require the well history to include all operations, injection, production, and emplacement of any materials into a natural gas storage well, and to be disclosed to the division by the operator, as specified.

Under existing law, a person who violates certain statutes or regulations relating to oil and gas well operations is subject to a civil penalty not to exceed \$25,000 for each violation. Existing law provides that the unreasonable waste of natural gas by act, omission, sufferance, or insistence is opposed to the public interest and is unlawful.

This bill would provide that a violation of the prohibition against the unreasonable waste of natural gas is subject to the civil penalty not to exceed \$25,000 for each violation.

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

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

- 1 SECTION 1. The Legislature finds and declares as follows:
- 2 (a) Public transparency regarding regulations and regulatory
- 3 activity to protect public health and welfare and natural resources
- 4 is essential.
- 5 (b) On October 23, 2015, a significant, uncontrolled leak from
- 6 a natural gas storage well that was originally drilled over 60 years
- 7 ago was discovered in the Aliso Canyon natural gas storage facility
- 8 located in the County of Los Angeles. Initial efforts to stop the
- 9 leak failed.
- 10 (c) The Division of Oil, Gas, and Geothermal Resources in the
- 11 Department of Conservation responded swiftly to the leak,

1 including by issuing two orders that, among other things, require  
2 the use of relief wells. The division has been working around the  
3 clock overseeing efforts to stop the leak.

4 (d) It was several days before the community was notified of  
5 the leak, although numerous residents started reporting odor  
6 concerns almost immediately. The leaking well is up the hill and  
7 approximately one and one-quarter miles away from the nearest  
8 home. Other natural gas storage wells serving this facility are  
9 located closer to homes.

10 (e) The Governor declared a state of emergency on January 6,  
11 2016, in order to facilitate the ongoing state response and efforts  
12 to stop the leak.

13 (f) The standards for natural gas storage wells need to be  
14 improved in order to reflect 21st century technology, recognize  
15 that these facilities may be in locations near population centers,  
16 and ensure a disaster like the Aliso Canyon leak does not happen  
17 again.

18 SEC. 2. Chapter 6 (commencing with Section 42710) is added  
19 to Part 4 of Division 26 of the Health and Safety Code, to read:

20

21 CHAPTER 6. NATURAL GAS STORAGE FACILITY MONITORING

22

23 42710. (a) The state board, in consultation with any local air  
24 district and the Division of Oil, Gas, and Geothermal Resources  
25 in the Department of Conservation, shall develop a natural gas  
26 storage facility monitoring program that includes continuous  
27 monitoring of the ambient concentration of natural gas at sufficient  
28 locations throughout a natural gas storage facility or planned  
29 natural gas storage facility to identify natural gas leaks.

30 (b) The program shall include guidelines for the continuous  
31 monitoring which shall include, at minimum, spectral visual  
32 imaging and quantitative chemical analytical monitoring.

33 (c) All materials provided to comply with this section shall be  
34 posted and available to the public on the Internet Web site of the  
35 Division of Oil, Gas, and Geothermal Resources.

36 SEC. 3. Section 3133 is added to the Public Resources Code,  
37 to read:

38 3133. (a) As used in this article, “natural gas storage well”  
39 means an active or idle natural gas storage well serving or located  
40 in a natural gas storage facility.

1 (b) Before January 1, 2018, and annually thereafter, the division  
2 shall inspect all natural gas storage wells.

3 (c) A natural gas storage well in existence on December 31,  
4 2016, shall be brought into compliance with this article by \_\_\_\_.  
5 The use of a natural gas storage well older than \_\_\_\_ shall be  
6 phased out by \_\_\_\_.

7 SEC. 4. Section 3134 is added to the Public Resources Code,  
8 to read:

9 3134. A natural gas storage well shall meet all of the following  
10 standards:

11 (a) The well shall have an automatic downhole shutoff system,  
12 including, but not limited to, subsurface safety valves, deployed  
13 in order to limit leaks associated with a loss of the integrity of a  
14 well, well casing, or cementing. The shutoff system shall be tested  
15 and the results of the test shall be reported to the division no less  
16 than annually.

17 (b) Proactive evaluation of the integrity of the well, well casing,  
18 or cementing across the entire length of the well shall be conducted  
19 in order to quantitatively assess the risks posed by erosion,  
20 corrosion, aging, scaling, cracking, and any other process that may  
21 produce natural gas leaks. This evaluation shall include visual  
22 imaging along the entire length of the well. A natural gas storage  
23 well shall be evaluated pursuant to the measures in this subdivision  
24 at least annually if the well was originally drilled more than 20  
25 years ago.

26 (c) Natural gas injection and production shall be through tubing  
27 only and isolated from contact with the well casing.

28 (d) Annular pressure and production or injection flow rate shall  
29 be continuously monitored.

30 SEC. 5. Section 3135 is added to the Public Resources Code,  
31 to read:

32 3135. (a) For the purposes of this section, “sensitive receptor”  
33 includes, but is not limited to, a school, hospital, and residential  
34 housing.

35 (b) In addition to the requirements of Section 3134, a natural  
36 gas storage well that is within 10,000 feet of a sensitive receptor  
37 shall meet both of the following requirements:

38 (1) Have continuous air quality monitoring for natural gas leaks  
39 at the wellhead.

1 (2) Be evaluated pursuant to the measures in subdivision (b) of  
2 Section 3134 at least annually.

3 (c) The division shall not issue a permit for a new natural gas  
4 storage well located within \_\_\_\_ feet of a sensitive receptor, and  
5 the division shall order operators to cease the use of, and plug and  
6 abandon, an existing natural gas storage well within \_\_\_\_\_ feet of  
7 a sensitive receptor by \_\_\_\_\_.

8 SEC. 6. Section 3136 is added to the Public Resources Code,  
9 to read:

10 3136. (a) The operator of a natural gas storage well shall  
11 submit for the supervisor's approval the following materials:

12 (1) A regular maintenance program for the well and the portion  
13 of the facility within the division's jurisdiction.

14 (2) Operating conditions and parameters for the well and the  
15 portion of the facility within the division's jurisdiction.

16 (3) A monitoring program for the well and the portion of the  
17 facility within the division's jurisdiction that includes air quality  
18 monitoring pursuant to Chapter 6 (commencing with Section  
19 42710) of Part 4 of Division 26 of the Health and Safety Code.  
20 Air quality monitoring sufficient to include a new or reworked  
21 well shall be in operation before a new well is drilled or reworked.

22 (4) A natural gas leak prevention and response program that  
23 addresses the full range of natural gas leaks possible at the facility  
24 with specific response plans that provide for immediate control of  
25 the leak. The prevention and response program shall include, but  
26 is not limited to, all of the following:

27 (A) A protocol for public notice of the leak to the community  
28 by the operator.

29 (B) Prepositioning and identification of materials and personnel  
30 necessary to respond to leaks. This shall include materials,  
31 including equipment to capture leaked gas, to respond to the leak  
32 itself as well as to protect public health.

33 (C) A training program to ensure site personnel are prepared to  
34 respond to a leak.

35 (b) All of the materials described in subdivision (a) shall be  
36 approved by the supervisor, at his or her discretion, and in the  
37 possession of the division before the supervisor or district deputy  
38 approves a notice required pursuant to Section 3203.

39 (c) All of the materials described in subdivision (a) shall be  
40 reported to the division annually. The operator shall not deviate

1 from the programs and other conditions and protocols contained  
2 in the materials without prior written approval by the supervisor.

3 SEC. 7. Section 3137 is added to the Public Resources Code,  
4 to read:

5 3137. The public has a right to review the location of a natural  
6 gas storage well or conversion of an existing well to a natural gas  
7 storage well before the approval of any notice required pursuant  
8 to Section 3203.

9 SEC. 8. Section 3138 is added to the Public Resources Code,  
10 to read:

11 3138. In the event of a loss of the integrity of a natural gas  
12 storage well, well casing, or cementing resulting in a significant,  
13 uncontrolled leak of natural gas, preparations for the drilling of a  
14 relief well shall begin within 24 hours of the discovery of the leak  
15 regardless of any other activities undertaken to stop the leak.

16 SEC. 9. Section 3139 is added to the Public Resources Code,  
17 to read:

18 3139. In the event of a leak of any size from a natural gas  
19 storage well, the operator shall notify the division immediately.  
20 Within 24 hours of notification, the division shall post information  
21 about the leak on its Internet Web site and provide regular updates  
22 to the public until the leak is stopped.

23 SEC. 10. Section 3140 is added to the Public Resources Code,  
24 to read:

25 3140. (a) The division shall convene an independent panel of  
26 recognized experts to develop best practices for natural gas storage  
27 facilities. The panel shall consider at least of all the following:

28 (1) The proximity of a natural gas storage facility and wells to  
29 population.

30 (2) The age when a well should be plugged and abandoned, and  
31 what standards the plugging and abandonment should meet.

32 (3) The range of proactive methods to assess the integrity of a  
33 well, well casing, and cementing.

34 (4) A thorough analysis of the risks associated with the  
35 conversion of a well for use as a natural gas storage well.

36 (5) Natural gas storage well operating, maintenance, and  
37 monitoring standards.

38 (b) Upon completion of the panel's work pursuant to subdivision  
39 (a), the division shall review and incorporate best practices  
40 developed by the panel into its regulations for natural gas storage

1 wells, as appropriate, and for other wells under the division’s  
2 jurisdiction, as applicable.

3 SEC. 11. Section 3141 is added to the Public Resources Code,  
4 to read:

5 3141. (a) The division, in consultation with the Office of  
6 Environmental Health Hazard Assessment, the State Department  
7 of Public Health, and the Department of Industrial Relations, shall  
8 perform a risk assessment of natural gas storage wells. The risk  
9 assessment shall include, but is not limited to, all of the following  
10 information:

- 11 (1) The age of a well.
  - 12 (2) The service history and operating conditions of the well.
  - 13 (3) The potential impact of a leak on public, occupational, and  
14 environmental health.
- 15 (b) The risk assessment shall be subjected to peer review by  
16 independent experts.
- 17 (c) The findings of the risk assessment shall be reported to the  
18 Legislature in accordance with Section 9795 of the Government  
19 Code.

20 SEC. 12. Section 3142 is added to the Public Resources Code,  
21 to read:

22 3142. To ensure that the division has all the records it needs  
23 to evaluate natural gas storage wells, the well history maintained  
24 pursuant to Section 3213 shall include all operations, injection,  
25 production, and emplacement of any materials into the well. The  
26 operator shall disclose the well history to the division for each  
27 operation, injection, production, and emplacement of any material  
28 into the well.

29 SEC. 13. Section 3143 is added to the Public Resources Code,  
30 to read:

31 3143. All materials provided to the division to comply with  
32 Section 3133 to 3142, inclusive, shall be posted and available to  
33 the public on the Internet Web site of the division.

34 SEC. 14. Section 3144 is added to the Public Resources Code,  
35 to read:

36 3144. A member of the public may bring suit for writ of  
37 mandate against the division for failure to enforce Sections 3133  
38 to 3143, inclusive.

39 SEC. 15. Section 3236.5 of the Public Resources Code is  
40 amended to read:

1 3236.5. (a) A person who violates this chapter or a regulation  
2 implementing this chapter is subject to a civil penalty not to exceed  
3 twenty-five thousand dollars (\$25,000) for each violation. A person  
4 who commits a violation of Article 3 (commencing with Section  
5 3150) or *Section 3300* is subject to a civil penalty of not less than  
6 ten thousand dollars (\$10,000) and not to exceed twenty-five  
7 thousand dollars (\$25,000) per day per violation. An act of God  
8 and an act of vandalism beyond the reasonable control of the  
9 operator shall not be considered a violation. The civil penalty shall  
10 be imposed by an order of the supervisor pursuant to Section 3225  
11 upon a determination that a violation has been committed by the  
12 person charged. The imposition of a civil penalty under this section  
13 shall be in addition to any other penalty provided by law for the  
14 violation. When establishing the amount of the civil penalty  
15 pursuant to this section, the supervisor shall consider, in addition  
16 to other relevant circumstances, all of the following:

- 17 (1) The extent of harm caused by the violation.
  - 18 (2) The persistence of the violation.
  - 19 (3) The pervasiveness of the violation.
  - 20 (4) The number of prior violations by the same violator.
- 21 (b) An order of the supervisor imposing a civil penalty shall be  
22 reviewable pursuant to Article 6 (commencing with Section 3350).  
23 When the order of the supervisor has become final and the penalty  
24 has not been paid, the supervisor may apply to the appropriate  
25 superior court for an order directing payment of the civil penalty.  
26 The supervisor may also seek from the court an order directing  
27 that production from the well or use of the production facility that  
28 is the subject of the civil penalty order be discontinued until the  
29 violation has been remedied to the satisfaction of the supervisor  
30 and the civil penalty has been paid.

31 (c) Any amount collected under this section shall be deposited  
32 in the Oil, Gas, and Geothermal Administrative Fund.

33 SEC. 16. No reimbursement is required by this act pursuant to  
34 Section 6 of Article XIII B of the California Constitution because  
35 the only costs that may be incurred by a local agency or school  
36 district will be incurred because this act creates a new crime or  
37 infraction, eliminates a crime or infraction, or changes the penalty  
38 for a crime or infraction, within the meaning of Section 17556 of  
39 the Government Code, or changes the definition of a crime within



- 1 the meaning of Section 6 of Article XIII B of the California
- 2 Constitution.

O

## **SB 888 (Allen) Gas Corporations: Emergency Management**

**Summary:** SB 888 designates the Office of Emergency Services as the lead agency for emergency response for leaks of natural gas from storage facilities like Aliso Canyon. The Office of Emergency Services would be required to coordinate the emergency response, public health and environmental assessment, monitoring, and control of the leak among other state agencies. In addition, the bill requires that any monies paid for fines, penalties, or damages be paid by the corporation and its shareholders, not recoverable from ratepayers.

**Background:** Southern California Gas Company (SoCalGas) operates the Aliso Canyon Storage Facility in Porter Ranch in northwest Los Angeles County. That reservoir has the capacity to store over 160 billion cubic feet of natural gas and SoCal Gas operates about 115 injection and withdrawal wells throughout the site. It injects natural gas into the underground reservoir when the demand for natural gas is low and withdraws it when the demand for natural gas is high.

On October 23, 2015 SoCalGas discovered that a well (known as Well SS-25) used to inject and withdraw natural gas from the underground storage reservoir at their Aliso Canyon facility was leaking. Over three months later, the well continues to be a major source of methane emissions – likely the single largest point source of greenhouse gas emissions in the state during this time period – with cumulative emissions to date estimated to be on the order of the annual emissions from 450,000 cars or over 6% of the total annual emissions from all of California’s oil refineries. The leak has caused major and unprecedented upheaval in the Porter Ranch community. There are numerous reports of local residents, including children, experiencing health problems. The Los Angeles Unified School District temporarily closed two schools and relocated the students. In addition to health concerns, community members have additionally raised business losses, environmental impacts and damage to property values, among other concerns. Over 4,500 households have relocated (at SoCalGas’ expense) and an additional 1,100 have been offered opportunities to relocate.

Seven efforts to “kill” the leaking well have failed and the Division of Oil, Gas and Geothermal Resources (DOGGR) ordered that a relief well be drilled. Current estimates are that the leak will be controlled using this relief well by March 2016. The leaking well was originally drilled in 1953 and numerous concerns have been raised about the age, maintenance practices and safety of the Aliso Canyon facility.

From October 23, 2015 through February 9, 2016 the SCAQMD has received nearly 2,300 odor complaints from the public regarding Aliso Canyon. From the onset, staff of the South Coast Air Quality Management District (SCAQMD) has participated in daily calls with SoCalGas and other government agencies to coordinate a response to the leak. SCAQMD staff has also participated in hearings regarding the SoCalGas Aliso Canyon leak before the Los Angeles County Board of Supervisors and Los Angeles City Council. SCAQMD staff has also participated in a number of community meetings, including with the Porter Ranch Neighborhood Council. In addition, SCAQMD staff has reviewed and commented on the odor mitigation and air monitoring plans proposed by SoCalGas and has participated in daily conference calls with SoCalGas and other first-responding and

environmental and public health agencies at the state and local level about the status of well repair and odor abatement activities.

On November 5, 2015, the SCAQMD issued a Notice to Comply to SoCalGas and on November 23, 2015, SCAQMD issued a Notice of Violation (NOV) alleging an ongoing public nuisance pursuant to H&S Code §41700 and District Rule 402. After lengthy testimony and in response to a petition filed by the SCAQMD on December 10, 2015, the SCAQMD Hearing Board on January 23<sup>rd</sup> ordered SoCalGas to take immediate action to minimize odors and air pollution from the massive gas leak near Porter Ranch. Further, on January 26, SCAQMD filed a complaint with the Los Angeles County Superior Court against the SoCalGas for creating a public nuisance.

As proposed by Supervisor Antonovich, the SCAQMD Governing Board passed Resolution 16-1 on January 8, 2016. It urges that Governor Edmund G. Brown, Jr. request that funds obtained from the Southern California Gas Company for a greenhouse gas program to mitigate methane emissions be spent on measures to benefit the Porter Ranch community adversely impacted by those emissions, and the Southern California region to the extent that it is infeasible to conduct projects in Porter Ranch.

On January 11, Senators DeLeon, Pavley, Allen and Huff announced their legislative package in response to this incident, intending to address the state and region's public safety needs while recognizing the need for energy reliability.

**Status:** 1/28/2016 Referred to Committee on Governmental Organization and the Committee on Energy, Utilities, and Communications.

**Specific Provisions:**

- Would establish the Office of Emergency Services as the lead agency for emergency response to a leak of natural gas from a natural gas storage facility.
- Requires the Office of Emergency Services to coordinate among other state agencies the emergency response, public health and environmental assessment, monitoring, and long-term management and control of the leak.
- Requires the commission to deposit moneys from penalties assessed against a gas corporation in regards to a gas storage facility leak into the Gas Storage Facility Leak Mitigation Account.
- Moneys in this account shall be expended, upon appropriation by the Legislature, solely for direct emissions reductions in furtherance of the achievement of the greenhouse gas emissions limit.
- Prohibits a gas corporation from recovering any moneys paid for fines, penalties, or damages to residents, businesses, and other parties adversely affected by a gas storage facility leak through any rate increase approved by the CPUC. Require that those costs and expenses be paid for by the gas corporation and its shareholders.

**Impacts on SCAQMD’s mission, operations or initiatives:**

SB 888 is intended to ensure accountability and, should an incident similar to the Aliso Canyon Storage Facility leak happen again, provide for a coordinated and effective governmental response. To fully achieve the bills intended purpose to provide for a coordinated and effective emergency response, the bill should also require coordination with the local air districts. In addition, to maximize the benefit of expenditures from the Gas Storage Facility Leak Mitigation Account, expenditures should be prioritized to maximize criteria and toxic pollutant emission cobenefits.

**Recommended Position: SUPPORT AND CONTINUE TO WORK WITH AUTHOR ON DETAILS INVOLVING AIR QUALITY AND SCAQMD OPERATIONS.**

**Introduced by Senator Allen**  
**(Coauthors: Senators De León and Pavley)**  
(Coauthor: Assembly Member Wilk)

January 20, 2016

---

An act to add Section 8585.01 to the Government Code, and to add Section 972 to the Public Utilities Code, relating to gas corporations.

LEGISLATIVE COUNSEL'S DIGEST

SB 888, as introduced, Allen. Gas corporations: emergency management.

(1) Existing law creates, within the office of the Governor, the Office of Emergency Services which, under the Director of Emergency Services, coordinates disaster response, emergency planning, emergency preparedness, disaster recovery, disaster mitigation, and homeland security activities.

This bill would establish the Office of Emergency Services as the lead agency for emergency response to a leak of natural gas from a natural gas storage facility. The bill would require the Office of Emergency Services to coordinate among other state agencies the emergency response, public health and environmental assessment, monitoring, and long-term management and control of the leak.

(2) Under existing law, the Public Utilities Commission has regulatory authority over public utilities, as defined. The Public Utilities Act requires the commission to investigate the cause of all accidents occurring upon the property of any public utility, or directly or indirectly arising from or connected with its maintenance or operation, resulting in loss of life or injury to person or property and requiring, in the judgment of the commission, investigation by it, and authorizes the commission to make any order or recommendation with respect to the

investigation that it determines to be just and reasonable. The act provides that any public utility that violates any provision of the California Constitution or the act, or that fails or neglects to comply with any order, decision, decree, rule, direction, demand, or requirement of the commission, where a penalty has not otherwise been provided, is subject to a penalty of not less than \$500 and not more than \$50,000 for each offense. Existing law requires that any fine or penalty imposed by the commission and collected from a public utility be paid to the State Treasury to the credit of the General Fund.

This bill would require the commission to deposit moneys from penalties assessed against a gas corporation in regards to a gas storage facility leak into the Gas Storage Facility Leak Mitigation Account, which the bill would establish in the State Treasury. The bill would provide that moneys in this account shall be expended, upon appropriation by the Legislature, solely for direct emissions reductions in furtherance of the achievement of the greenhouse gas emissions limit, as specified. The bill would prohibit a gas corporation from recovering any moneys paid for fines, penalties, or damages to residents, businesses, and other parties adversely affected by a gas storage facility leak in any rate approved by the commission, and would require that those costs and expenses be paid for by the gas corporation and its shareholders. Because this provision of this bill would be a part of the act and because a violation of an order or decision of the commission implementing its requirements would be a crime, the bill would impose a state-mandated local program by creating a new crime.

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

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 8585.01 is added to the Government  
2 Code, to read:  
3 8585.01. The Office of Emergency Services shall be the lead  
4 agency for emergency response to a leak of natural gas from a  
5 natural gas storage facility. The Office of Emergency Services

1 shall coordinate among other state agencies the emergency  
2 response, public health and environmental assessment, monitoring,  
3 and long-term management and control of the leak.

4 SEC. 2. Section 972 is added to the Public Utilities Code, to  
5 read:

6 972. (a) The commission shall deposit any penalties assessed  
7 against a gas corporation pursuant to this chapter in regards to a  
8 gas storage facility leak into the Gas Storage Facility Leak  
9 Mitigation Account, which is hereby established in the State  
10 Treasury.

11 (b) Moneys in the account shall be expended, upon appropriation  
12 by the Legislature, subject to both of the following conditions:

13 (1) Moneys shall be expended solely for direct emissions  
14 reductions in furtherance of the achievement of the greenhouse  
15 gas emissions limit established pursuant to Part 3 (commencing  
16 with Section 38550) of Division 25.5 the Health and Safety Code.  
17 Moneys shall not be used for the purchase of allowances or offsets  
18 otherwise authorized pursuant to Division 25.5 (commencing with  
19 Section 38500) of the Health and Safety Code.

20 (2) Moneys from penalties assessed for a gas storage facility  
21 leak shall be expended in a manner that, at a minimum, achieves  
22 a reduction in greenhouse gases that exceeds the amount of those  
23 gases emitted by that leak.

24 (c) A gas corporation shall not recover any moneys paid for  
25 fines, penalties, or damages to residents, businesses, and other  
26 parties adversely affected by a gas storage facility leak in any rate  
27 approved by the commission. Those costs and expenses shall be  
28 paid for by the gas corporation and its shareholders.

29 SEC. 3. No reimbursement is required by this act pursuant to  
30 Section 6 of Article XIII B of the California Constitution because  
31 the only costs that may be incurred by a local agency or school  
32 district will be incurred because this act creates a new crime or  
33 infraction, eliminates a crime or infraction, or changes the penalty  
34 for a crime or infraction, within the meaning of Section 17556 of  
35 the Government Code, or changes the definition of a crime within  
36 the meaning of Section 6 of Article XIII B of the California  
37 Constitution.

## ATTACHMENT 4

### SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

#### LEGISLATIVE REPORT FROM HOME RULE ADVISORY GROUP MEETING OF DECEMBER 16, 2015

HRAG members present:

Dr. Joseph Lyou, Chairman

Jill Whynot, SCAQMD

Chris Gallenstein, CARB (participated by phone)

Curt Coleman, Southern California Air Quality Alliance

Sue Gornick, WSPA

Jayne Joy, Eastern Municipal Water District (participated by phone)

Bill LaMarr, California Small Business Alliance

Rongsheng Luo, SCAG (participated by phone)

Art Montez, AMA International

Diane Moss, Renewables 100 Policy Institute

Terry Roberts, American Lung Association of California

David Rothbart, Los Angeles County Sanitation Districts

Larry Rubio, Riverside Transit (participated by phone)

Larry Smith, Cal Portland Cement

TyRon Turner, WCAY

Others: Mark Abramowitz (Board Consultant to Dr. Lyou); Earl Elrod (Board Consultant to Mayor Yates); Rita Loof (RadTech); Noel Muyco (SoCalGas); and Susan Stark (Tesoro).

SCAQMD Staff: Philip Crabbe, Jill Whynot, Bill Wong, and Marilyn Traynor

#### LEGISLATIVE UPDATE

Philip Crabbe reported that there was no Legislative Committee meeting in December and that the Legislature will be back in session on January 4, 2016.

#### Discussion

In response to a question by Mr. Coleman, the HRAG had the following discussion on the Governor's Transportation Plan, which relates to the Special Legislative Session on Transportation: The Governor's plan included taxes, fees, and cap-and-trade funding amounting to approximately \$3.6 billion in total. Democrats want the total amount increased to \$6 billion, and the Republicans want the amount increased to \$6.6 billion. There is little likelihood that a deal will be reached in the near term.



## **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

### **LEGISLATIVE REPORT FROM HOME RULE ADVISORY GROUP MEETING OF JANUARY 20, 2016**

HRAG members present:

Dr. Joseph Lyou, Chairman

Jill Whynot on behalf of Dr. Philip Fine, SCAQMD

Elizabeth Adams, EPA (participated by phone)

Curt Coleman, Southern California Air Quality Alliance

Chris Gallenstein, CARB (participated by phone)

Sue Gornick, WSPA

Jayne Joy, Eastern Municipal Water District (participated by phone)

Bill LaMarr, California Small Business Alliance

Rongsheng Luo, SCAG (participated by phone)

Art Montez, AMA International

Terry Roberts, American Lung Association of California

David Rothbart, Los Angeles County Sanitation Districts

Larry Rubio, Riverside Transit (participated by phone)

Larry Smith, Cal Portland Company

TyRon Turner, Dakota Communications

Others: Mark Abramowitz (Board Consultant to Dr. Lyou); David Czamanske (Board Consultant to Councilmember Michael Cacciotti); Ron Ketcham (Board Consultant to Mayor Larry McCallon); Rita Loof (RadTech); and Susan Stark (Tesoro).

SCAQMD Staff: Philip Crabbe, Bill Wong, and Marilyn Traynor

#### **LEGISLATIVE UPDATE**

Philip Crabbe reported on the following items that were discussed at the Legislative Committee meeting on January 15, 2016.

#### **Federal**

SCAQMD staff and Governing Board member Judy Mitchell met with key members of Congress in Washington, D.C. to outline SCAQMD's needs and priorities. Meetings were held with various elected officials or their staff, including the following: U.S. Senator Dianne Feinstein and U.S. Representatives Tony Cardenas, Janice Hahn, Grace Napolitano, and Loretta Sanchez. It was reported that with the budget discussions about to begin and the nominating sessions in July there is little hope for a large agenda this Congressional session. Also as part of this trip, at the Transportation Research Board's annual meeting, SCAQMD hosted a panel on Zero Emission Freight. Meetings were also held with key House appropriations staff and other key environmental staff in the Administration.

#### **State**

In response to the Aliso Canyon Porter Ranch methane leak, Senate leadership announced a legislative package that would include: (1) a moratorium on new injections at the site pending a

determination that it would not pose a risk to the public; (2) ensuring that the polluters, not the public, pay for damages; (3) establishing a single state government point of accountability for future leaks; (4) prohibiting the California Public Utilities Commission from allocating any Aliso Canyon costs to rate payers; (5) increasing inspections and updating health and safety measures; and (6) establishing targets to achieve a 50% reduction in black carbon emissions and a 40% reduction in methane emissions.

The following new bills will be tracked by SCAQMD:

*AB 742 (Gallagher)*

This bill would prohibit CARB from enforcing a regulation that restricts emissions from in-use diesel-fueled vehicles until CARB receives a completed comprehensive study by an independent private firm of the safety of any particulate matter filters required to be installed on affected vehicles.

*AB 550 (Waldron)*

This bill would allow owners of certain motor vehicles that are subject to the Smog Check Program to pay a \$200 smog abatement fee in lieu of passing a smog test.

All two-year bills must be heard and must be passed out of their house of origin by January 31, 2016. The deadline for introducing new legislation for this session is February 19, 2016.

The newly elected Speaker, Anthony Rendon, will transition to the position in March. Speaker Rendon has nine years left in the Assembly, which gives him the opportunity to be the longest serving speaker since Willie Brown.

The 2016-17 proposed budget was released by Governor Brown on January 7, 2016. The proposal reflects his efforts to balance fiscal restraint while meeting California's growing needs of the state. Key elements of the proposal are:

- \$122.6 billion General Fund budget.
- \$36 billion over the next decade to improve the maintenance of highways and roads, expand public transit, and improve critical trade routes.
- A \$3.1 billion Greenhouse Gas Cap and Trade expenditure plan.
  - Includes this year's funding and the remaining funding from last year that was not allocated.
  - 10% of these funds to be spent within disadvantaged communities and 25% of the revenues to projects that benefit disadvantaged communities.
  - 60%, or \$1.2 billion, of the projected auction proceeds are continuously appropriated to support public transit, sustainable communities, and high-speed rail.
  - \$1 billion for the following programs that reduce emissions in the transportation sector:
    - \$500 million for the Low Carbon Transportation program
    - \$400 million for the intercity rail capital program
    - \$100 million for the Low Carbon Road Program
    - \$25 million for the Alternative and Renewable Fuel and Vehicle Technology Program

- \$100 million for the Transformational Climate Communities Program, which focuses on the top 5% of disadvantaged communities.
- \$100 million to expand waste management infrastructure
- \$150 million for water conservation and restoration of habitats.

***Discussion***

Mr. Smith asked about AB 550. Mr. Crabbe stated that it is unclear what the bill's chances are for moving forward. Mr. Montez had questions about the cap and trade investment fund and the budgetary proposal for expenditures. Dr. Lyou asked that staff at a future HRAG meeting provide a report/presentation that discusses how much money was collected by the state, how the money was spent, and how the Governor and Legislature propose to spend any remaining balance. Mr. LaMarr expressed concern that small businesses never receive any of these funds. Dr. Lyou noted that additional information on the cap and trade program can be found on ARB's website (<http://www.arb.ca.gov>).

[↑ Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 19B

REPORT: Legislative Committee

SYNOPSIS: The Legislative Committee held a meeting on Friday, March 11, 2016. The next Legislative Committee meeting is scheduled for Friday, April 8, 2016 at 9 a.m. in Conference Room CC8.

RECOMMENDED ACTION:  
Receive and file this report.

Judith Mitchell  
Chair  
Legislative Committee

LBS:GSA:PFC:jf

---

### **Attendance [Attachment 1]**

The Legislative Committee met on March 11, 2016. Committee Chair Judith Mitchell was present at the South Coast Air Quality Management District's (SCAQMD) Diamond Bar headquarters. Committee members Joe Buscaino, Dr. William A. Burke, and Dr. Clark E. Parker, Sr. attended via videoconference. Committee Members Michael Antonovich and Janice Rutherford were absent.

### **Report on Federal Legislative Issues**

Kaleb Froehlich, SCAQMD's federal legislative consultant with Cassidy & Associates, reported that the U.S. Senate continues to consider the Energy Policy Modernization Act (EPMA). The bill remains in legislative limbo on the Senate floor; however, there are potential compromises being considered. It appears that the Senate has until next week to resolve this impasse. Of interest to the SCAQMD in this bill is:

- Senators Boxer and Feinstein's Aliso Canyon Task Force amendment added to the bill; and
- The Vehicle Innovation Act of 2015, which enhance the Advanced Vehicle Technology Program at the Department of Energy, to develop and improve fuel efficiency and reduce emissions of all vehicles produced in the United States. Included in this section is:

- A program specifically focused on advanced technology for medium to heavy duty commercial, vocational, recreational and transit vehicles; and
- A provision that provides funding authorization for the new vehicle program at about \$350 million annually through 2020.

Mr. Froehlich added that Senators Boxer and Feinstein have also successfully included the Aliso Canyon Task Force amendment in the Securing America's Future Energy: Protecting Our Infrastructure of Pipelines and Enhancing Safety Act of 2016 (Safe Pipes Act). The Safe Pipes Act, which is non-controversial, recently passed the Senate by unanimous consent and the legislation will now move to the House of Representatives for consideration. It has been referred to the House Transportation and Infrastructure Committee. The House has its own version of this bill, thus the House and Senate leadership are negotiating on which version of the bill will be moved forward.

Mr. Froehlich reported that there will be opportunities for SCAQMD to engage key decision makers in the House to push for passage of the amendment before the end of the Congress. The California Senate delegation will continue to push for inclusion of the Aliso Canyon amendment into any vehicles moving on the Senate floor until the language is included in a bill that is signed into law.

Finally, Mr. Froehlich stated that Delegate Eleanor Holmes Norton (D-DC) introduced the No Lead in the Air Act of 2016 to prohibit the use of lead in aircraft fuel by the year 2021. Lead in automobile fuel has been banned since 1995, but the piston-engine aircraft industry and airports that supply their fuel continue to use leaded aircraft fuel. This legislation will phase out lead in aircraft fuel within five years, by directing the Federal Aviation Administration (FAA) Administrator, in consultation with the United States Environmental Protection Agency (U.S. EPA) Administrator, to issue regulations prohibiting the use of leaded fuel in aircraft. This bill was referred to the House Transportation and Infrastructure Committee; however, it likely faces an uphill climb in the House.

Mark Kadesh, SCAQMD's federal legislative consultant with Kadesh & Associates, reported that Congressional Appropriations subcommittees have begun their hearing process regarding the 12 appropriations bills, and it is possible that markups of these bills will be held by the end of March or beginning of April.

Mr. Kadesh informed the Committee that SCAQMD input/requests regarding our priorities for the appropriations process should be finalized and submitted over the next few weeks. For example, SCAQMD is now working with Senator Dianne Feinstein's Office and the Ports to look for funding opportunities connected to the Energy and Water Appropriations bill relating to zero emission goods movement technology.

Committee Chair Mitchell mentioned that there are plans for an SCAQMD delegation trip to Washington, D.C. in May 2016 and Board members from the Legislative Committee and the overall Board have been invited.

Gary Hoitsma, SCAQMD's federal legislative consultant with the Carmen Group, reported that a series of letters from SCAQMD were delivered to key House delegation members requesting their support for the Boxer-Feinstein Aliso Canyon Natural Gas Leak Task Force Amendment to the Senate Energy bill. Also to that end, SCAQMD representatives had good discussions with House Majority Leader Kevin McCarthy's staff requesting his support on this issue.

Mr. Hoitsma informed the Committee that SCAQMD is working with staff from the House Interior/Environment Appropriations Subcommittee, chaired by Congressman Ken Calvert (R-CA). Overall, SCAQMD continues to work with Rep. Calvert's staff to help secure funding for the Targeted Airshed Grant Program and the Diesel Emission Reduction Act (DERA) Program, and to facilitate having the U.S. EPA prioritize funding towards the South Coast Air Basin.

Mr. Hoitsma reported that House Speaker Paul Ryan and Majority Leader Kevin McCarthy are trying to expedite the appropriations process to at least get all 12 bills completed on the House side before Congress recesses in July. However, they are running into difficulties in getting their most conservative members to join in support of a budget resolution based on the higher spending levels agreed to with the Democrats last year.

Mr. Hoitsma stated that April 15 is the usual deadline to pass the annual budget resolution and Speaker Ryan and Majority Leader McCarthy are attempting to broker some kind of agreement to stick to this schedule. However, this is not an easy process, especially with some presidential candidates emphasizing fiscal cutbacks.

Committee Chair Mitchell reiterated that SCAQMD had a very positive meeting with Congressman Calvert in Washington, D.C. back in January. She stated that he has helped SCAQMD in the past obtain DERA funding and that he expressed an interest to continue to help going forward.

#### **Update on State Legislative Issues**

Will Gonzalez, SCAQMD's state legislative consultant with Gonzalez, Quintana, Hunter & Cruz, reported that it is getting busy in Sacramento, especially with a new Assembly Speaker and about 3,000 new bills making their way through the Legislature, numerous of which are of interest to SCAQMD.

With respect to the Greenhouse Gas Reduction Fund (GGRF), \$3.1 billion in unallocated funding is leftover from last year. Several legislators have introduced bills that propose to use GGRF moneys, including:

- AB 1657 (O'Donnell) - attempts to improve air quality around ports and terminals. This bill creates two programs to fund: 1) Zero emission (ZE) and near ZE equipment at the ports; 2) Port building lighting and efficiency, including use of renewable energy;
- AB 2293 (C. Garcia) – provides technical assistance to help small businesses in disadvantaged communities better compete for GGRF funds;
- AB 2343 (C. Garcia) - focused on helping disadvantaged communities by providing certainty through longer-term allocations; and
- AB 1550 (Gomez) - seeks to have 25% of GGRF funds spent in disadvantaged communities, with an additional 25% spent to specifically benefit low income Californians. This is a top priority of the environmental justice community.

Mr. Gonzalez also reported on the following key energy related legislation:

- AB 1937 (Gomez) - requires the California Energy Commission (CEC) to make additional findings before certifying any new fossil fueled plant;
- AB 2339 (Irwin and Low) – would increase the requirement for providing incentives to rooftop solar customers in municipal utility areas;
- AB 2699 (Gonzalez) - is a solar power consumer protection bill; and
- AB 1530 (Levine) - which would create a new tariff for non-renewable, but clean distributed generation.

Mr. Gonzalez also discussed legislation involving natural gas, Aliso Canyon and biomethane issues. There seem to be two themes for these bills - those dealing with Aliso Canyon and gas storage, and those focused on reducing natural gas use generally. Many of the bills are still in spot form. One key bill is SB 1441 (Leno) which is focused on combatting fugitive emissions and any upstream methane leakage by placing such emissions within the cap and trade program.

Mr. Matt Klopfenstein, SCAQMD's state legislative consultant of Gonzalez, Quintana, Hunter & Cruz, reported that there are a little over 20 California Environmental Quality Act (CEQA) related bills and most of them are currently in spot form. However, two key bills in particular are:

- AB 1886 (McCarty) - expands the eligibility for transit-priority-projects, allowing such projects to be slightly farther away from a transit stop; and
- AB 1500 (Maienschein), which has already passed to the Senate, exempts certain temporary housing and transitional housing projects from CEQA review.

Mr. Klopfenstein also reported on the following bills relating to the Enhanced Fleet Modernization Program (EFMP) and the Clean Vehicle Rebate Project (CVRP):

- AB 1710 (Calderon) - looks towards a long-term replacement for CVRP to better jumpstart electric vehicles (EVs) in terms of making them more mainstream;
- AB 2415 (E. Garcia) – calls for at least 50% of money given for technology development to be given to existing technologies ready for deployment;
- Helping disadvantaged communities is a primary focus of the following legislation:
  - AB 2145 (Linder) - allows low-income purchasers of EVs to reduce the value of their car for tax purposes by the incentive amount they received; and
  - AB 1691 (Gipson) - promotes more clean vehicles in disadvantaged communities by adding into the EFMP a sub-program with the goal of replacing 10,000 vehicles annually in such communities.

Committee Chair Mitchell requested an update on current legislation by Senator Fran Pavley relating to the Aliso Canyon gas leak. Lisha B. Smith, Deputy Executive Officer of Legislative & Public Affairs, reported that the contents of SB 886 (Pavley) have now been placed into SB 380 (Pavley). Ms. Smith also reported that SCAQMD representatives have voiced support in committee for SB 380 and SB 888 (Allen), which also relates to gas leaks.

Mr. Paul Gonsalves, SCAQMD's state legislative consultant of Joe A. Gonsalves & Son, also provided the Committee with an update on various key Sacramento issues.

Mr. Gonsalves reported on the following key bills:

- AB 2829 (Baker) - This is currently a spot bill dealing with the Carl Moyer Program. The author's original intent was to provide an incentive to businesses with inefficient refrigeration systems to help them upgrade to more energy-efficient systems using cap and trade funds. However, it appears that this bill will no longer be moved forward by the author.
- AB 2630 (Salas) - Last year California enacted legislation requiring a 50% Renewable Portfolio Standard (RPS) by 2030, which has created a new demand for large utility-scale solar development. Solar stakeholders are looking to the Central Valley for future solar development because the National Renewable Energy Laboratory (NREL) estimates solar energy in the San Joaquin Valley could produce enough energy to power up to 1,000,000 homes. AB 2630 would ensure that the CEC and the California Public Utilities Commission (CPUC) plan accordingly so that necessary transmission is available to unlock the potential for renewables in the Central Valley.



- AB 2041 (Harper) - This a spot bill relating to firepit rings. The author stated that he has no current plans for the bill at this point.

Mr. Gonsalves informed the Committee about upcoming Legislative deadlines. February 19 was the last day for bills to be introduced; there are currently about 4,000 bills active in the Legislature. All bills are subject to a 30-days-in-print requirement before they can be heard in a committee. For many of these bills, the 30-day period ends on March 19. However, March 17 - March 27 is the legislative Spring Recess which means that Committee hearings will actually start the week of March 28 when they return.

Additionally, Senator Kevin de León has announced that he will be introducing a bill to add three additional members to the SCAQMD Board. The bill is currently being drafted by Legislative Counsel; there is currently no language or bill number.

Mr. Gonsalves reported that Assemblymember Anthony Rendon, was recently sworn in as the new Assembly Speaker. Speaker Rendon recently announced his new Leadership Team as follows:

- Speaker pro Tempore – Assemblymember Kevin Mullin (D-South San Francisco)
- Assistant Speaker pro Tempore – Assemblymember Autumn R. Burke (D-Inglewood)
- Majority Floor Leader – Assemblymember Ian C. Calderon (D-Whittier)
- Assistant Majority Floor Leader – Assemblymember Jim Cooper (D-Elk Grove)
- Majority Whip – Assemblymember Miguel Santiago (D-Los Angeles)
- Democratic Whip – Assemblymember Nora Campos (D-San Jose)
- Assistant Majority Whip – Assemblymember Evan Low (D-Silicon Valley)
- Democratic Caucus Chair – Assemblymember Mike A. Gipson (D-Carson)

In addition to new Leadership, Speaker Rendon announced new Committee Chairs for the following committees:

- **Appropriations** - Assemblymember Lorena Gonzalez (D-San Diego)
- **Budget** - Assemblymember Phil Y. Ting (D-San Francisco)
- **Health** - Assemblymember Jim Wood (D-Healdsburg)

Mr. Gonzalez added that there is a planned SCAQMD briefing at the Capitol in Sacramento in April. Committee Member Buscaino inquired about a date for that briefing and Ms. Smith responded that the tentative date is April 13. Committee Member Parker inquired as to who would be participating in the briefing. Ms. Smith responded that Dr. Phil Fine, Deputy Executive Officer of Planning, Rule Development & Area Sources and Dr. Matt Miyasato, Deputy Executive Officer of Science and

Technology Advancement would be presenting at the briefing. Committee Chair Mitchell asked if SCAQMD Board Members were welcome to attend and Ms. Smith responded in the affirmative.

Ms. Smith also stated as a follow-up that SB 380 (Pavley) and SB 888 (Allen) both passed out of their first respective policy committee hearings and are moving forward. SB 380 is moving to Senate Appropriations and LPA Public Affairs Manager Mr. Guillermo Sanchez added that SB 888 is double referred to Energy and Utilities Committee. Ms. Smith shared that SB 887 (Pavley) will be heard in the Senate Natural Resources Committee hearing on March 29.

**Report from SCAQMD Home Rule Advisory Group [Attachment 2]**

Please refer to Attachment 2 for written reports.

**Other Business:**

None

**Public Comment Period:**

No public comment.

**Attachments**

1. Attendance Record
2. SCAQMD Home Rule Advisory Group Report

## ATTACHMENT 1

ATTENDANCE RECORD –March 11, 2016

### **SCAQMD BOARD MEMBERS:**

Councilmember Judith Mitchell, Chair  
Dr. William A. Burke (Videoconference)  
Councilmember Joe Buscaino (Videoconference)  
Dr. Clark E. Parker, Sr. (Videoconference)

### **STAFF TO COMMITTEE:**

Lisha B. Smith, Deputy Executive Officer  
Derrick Alatorre, Assistant Deputy Executive Officer/ Public Advisor  
Guillermo Sanchez, Senior Public Affairs Manager  
Julie Franco, Senior Administrative Secretary

### **SCAQMD STAFF:**

Leeor Alpern, Senior Public Information Specialist (Videoconference)  
Barbara Baird, Chief Deputy Counsel  
Marc Carrel, Program Supervisor  
Tina Cox, Senior Public Information Specialist  
Philip Crabbe, Community Relations Manager  
Phil Fine, Deputy Executive Officer  
Bayron Gilchrist, Assistant Chief Deputy Counsel  
Chris Marlia, Assistant Deputy Executive Officer  
Matt Miyasato, Deputy Executive Officer  
Mike O'Kelly, Acting Executive Officer  
Robert Paud, Telecommunications Supervisor  
Jeanette Short, Senior Administrative Secretary  
Laki Tisopulos, Assistant Deputy Executive Officer  
Denise Whitcher, Executive Secretary  
Patti Whiting, Staff Specialist  
Rainbow Yeung, Senior Public Information Specialist (Videoconference)

### **OTHERS PRESENT:**

Mark Abramowitz, Governing Board Consultant (Lyou)  
David Czamanske, Governing Board Consultant (Cacciotti)  
Tom Dennis, Cassidy & Associates (teleconference)  
Kaleb Froehlich, Cassidy & Associates (teleconference)  
Paul Gonsalves, Joe A. Gonsalves & Son (teleconference)  
Will Gonzalez, Gonzalez, Quintana, Hunter & Cruz (teleconference)  
Sue Gornick, WSPA  
Stewart Harris, The Carmen Group  
Gary Hoitsma, The Carmen Group  
Matt Klopfenstein, Gonzalez, Quintana, Hunter & Cruz (teleconference)  
Mark Kadesh, Kadesh & Associates  
Chris Kierig, Kadesh & Associates  
Bill LaMarr, California Small Business Alliance  
Chung Liu, Governing Board Consultant (Mitchell)  
Rita Loof, RadTech  
Debra Mendelsohn, Governing Board Consultant (Antonovich)  
Noel Muyco, SoCalGas  
David Rothbart, Los Angeles County Sanitation Districts  
Susan Stark, Tesoro  
Lupe Valdez, Union Pacific Railroad  
Lee Wallace, SoCalGas  
Warren Weinstein, Kadesh & Associates  
Peter Whittingham, Curt Pringle & Associates

## ATTACHMENT 2

### SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

#### LEGISLATIVE REPORT FROM HOME RULE ADVISORY GROUP MEETING OF FEBRUARY 17, 2016

HRAG members present:

Dr. Joseph Lyou, Chairman

Dr. Philip Fine, SCAQMD

Curt Coleman, Southern California Air Quality Alliance

Jaelyn Ferlita, Air Quality Consultants

Chris Gallenstein, CARB (participated by phone)

Sue Gornick, WSPA

Bill LaMarr, California Small Business Alliance

Rongsheng Luo, SCAG (participated by phone)

Art Montez, AMA International

Noel Muyco, SoCalGas

Bill Quinn, CCEEB

Terry Roberts, American Lung Association of California

David Rothbart, Los Angeles County Sanitation Districts

Larry Rubio, Riverside Transit Agency (participated by phone)

Larry Smith, Cal Portland Company

TyRon Turner, Dakota Communications

Others: Mark Abramowitz (Board Consultant to Dr. Lyou); Ron Ketcham (Board Consultant to Mayor Larry McCallon); Clayton Miller (Construction Industry Air Quality Coalition); and Susan Stark (Tesoro).

SCAQMD Staff: Philip Crabbe, Bill Wong, and Marilyn Traynor

#### **LEGISLATIVE UPDATE**

Philip Crabbe reported on the following items that were discussed at the Legislative Committee meeting on February 12, 2016.

#### **Federal**

The President released the 2016-2017 proposed budget. The budget plan includes a number of provisions dealing with transportation, clean energy, environmental matters, and special interest items for SCAQMD. The overall reaction to the budget proposal from the Republican-controlled House of Representatives has been universally negative so much so that the House Budget Committee Chair did not invite the President's Budget Director to testify on the budget which is the normal practice. The House will move forward on a plan to track individual spending bills on an accelerated schedule which is proposed to end by mid-June. The House Republican leaders plan to stay within the higher discretionary caps agreed to on a bipartisan basis. However, there has been internal fighting in the Republican caucus whether to restrain spending even further.

EPA's 2017 budget request is \$8.267 billion, \$127 million above EPA's enacted level for 2016. This includes significant funding to help implement the Clean Power Plan strategies. However, the status of the fund proposal is unclear due to the stay by the Supreme Court.

By a 5-4 vote, the U.S. Supreme Court unexpectedly issued a stay to EPA's Clean Power Plan (CPP). The Supreme Court order reverses a January 21 decision of the U.S. Court of Appeals for the District of Columbia which denied Petitioner's request for a stay. The stay will remain in effect until the D. C. Circuit Court resolves the legal challenges to the Clean Power Plan and either the Supreme Court decides not to review the D.C. Circuit Court's decision, or the high court issues its own opinion. This is the first time that the Supreme Court has issued a stay of a circuit court case while the case is being considered by that lower court. The result of this action is seen as potentially pushing back the implementation of the Clean Power Plan by almost three years.

Both the House and Senate are likely to continue oversight of the President's Clean Energy Plan and other environmental initiatives from EPA.

As part of the President's 21<sup>st</sup> Century Clean Transportation Plan included in the budget, the President proposes to establish a new mandatory fund at EPA, which would be funded by his proposed \$10/barrel tax on oil. The goal is to protect the health of the most vulnerable populations and to reduce childhood exposure to harmful exhaust. EPA would provide a total of \$1.65 billion through the fund over the course of 10 years to retrofit, replace, and repower diesel equipment. The proposed funding which is separate from EPA's normal discretionary funding request, will provide up to \$300 million in FY 2017 to renew and increase funding for the DERA Grant Program which is set to expire in 2016.

The U. S. Senate continues to consider the Energy Policy Modernization Act (EPMA) which is comprised of five sections: (1) energy efficiency; (2) infrastructure; (3) supply; (4) accountability; and (5) conservation. This bill, which has been on the floor for approximately two weeks, has bipartisan support and passed out of Committee, but has since stalled, due to an ongoing debate regarding an amendment to provide aid to Flint, Michigan to address their water crisis.

Since 2016 is a presidential election year, it is expected that the legislative calendar will be brief and will focus primarily on the completion of a few key items including the reauthorization of the Federal Aviation Administration (FAA) and the National Defense Authorization Act (NDAA), immigration reform, and sanctions against North Korea as a result of their nuclear testing and recent missile launch.

The Senate appropriations subcommittees are beginning to hold the hearings which are the precursors to the bill markups this spring. Although it is expected that some or all of the bills will be marked up quickly and will go to the Senate floor, the appropriations bills most likely will not be completed prior to the July recess and the elections, which may necessitate a lame duck session in November to address funding for these bills.

Senators Boxer and Feinstein have proposed an amendment to the bipartisan energy bill which would direct the Energy Secretary to lead a federal task force to analyze and assess the Aliso

Canyon natural gas leak. The amendment was approved by a voice vote of the U. S. Senate and was adopted into the bill on February 2, 2016. Since the amendment was approved but the bill was stalled in the Senate, SCAQMD staff recommended that letters be sent by the Legislative Committee on behalf of the SCAQMD Board to both Senators:

- (1) Thanking them for putting forward that language that addresses the issue;
- (2) Expressing SCAQMD’s support of this legislative amendment language;
- (3) Requesting that the amendment be included in other relevant bills should the energy bill not pass;
- (4) Offering to provide testimony to the task force as needed and;
- (5) Offering SCAQMD staff as a resource to the Secretary and to the task force as they address this issue.

The recommendation also includes sending letters to the entire California delegation seeking their support of the amendment.

The following bills related to the Aliso Canyon/Porter Ranch issue were discussed by the Legislative Committee at the meeting on February 12, 2016. The Legislative Committee recommended the following positions:

Bills	Description	Legislative Committee’s Recommended Action
<i>SB 886 (Pavley)</i>	<i>Natural Gas Storage: Moratorium.</i> This bill would require a moratorium on injections of natural gas into any wells located at the Aliso Canyon Natural Gas Storage Facility until an extensive well audit has been performed. SB 886 would also require the CPUC to evaluate the possible minimization or elimination of the facility	Support and continue to work with author on details involving air quality.
<i>SB 887 (Pavley)</i>	<i>Natural Gas Storage Wells.</i> This bill would prevent incidents such as the gas leak at Aliso Canyon/Porter Ranch and would provide better public transparency in the operation of such facilities. SB 887 would provide a comprehensive framework for DOGGR’s oversight of natural gas storage wells.	Support and continue to work with author on details involving air quality.
<i>SB 888 (Allen)</i>	<i>Gas Corporations: Emergency Management.</i> This bill would designate the Office of Emergency Services as the lead agency for emergency response for leaks of natural gas from storage facilities like Aliso Canyon. The Office of Emergency Services would be required to coordinate the emergency response, public health and environmental assessment, monitoring, and control of the leak among other state agencies that were designated in the bill. In addition, the bill would require that any monies paid for fines, penalties, mitigation costs, or damages be paid by the corporation and its shareholders, and not be recovered by rate payers.	Support and continue to work with author on details involving air quality.

There was a report on the efforts of the SCAQMD Ad Hoc Committee on Large Compliance Investments and Future Regulatory Certainty. The Committee has focused on two related issues: (1) Protecting business investments in large equipment purchases, and (2) Enabling business to recover investments in large equipment by operating the equipment to the end of its useful life. The Committee's efforts in providing for additional cost considerations in SCAQMD's regulatory program is being blocked by limitations in existing state and federal law. The Legislative Committee supported staff's recommendations for preparing state and federal legislative proposals for the Legislative Committee's future consideration.

**Discussion/Federal**

Ms. Gornick asked what the expectations are for the SCAQMD's Working Group on Large Compliance Investments and Future Regulatory Certainty. Dr. Fine explained that the ultimate goal is to develop a draft policy for Committee and Board approval on how SCAQMD would approach the related issues: (1) Protecting business investments in large equipment purchases, and (2) Enabling business to recover investments in large equipment by operating the equipment to the end of its useful life, whether through rulemaking or through legislative changes.

Dr. Lyou asked what would be the mission of the federal task force established to analyze and assess the Aliso Canyon natural gas leak. Mr. Crabbe responded that their task would be to assess the entire situation, review what was done in response, and consider better ways to respond.

Mr. LaMarr asked what the constituents of the gas being vented into the community were as a result of the Aliso Canyon well leak. Dr. Lyou noted that the results are posted on SCAQMD's web page. Dr. Fine responded that CARB has calculated that over the 3-1/2 months, the state's methane emissions increased by 15% day to day. Dr. Fine noted that the symptoms that were reported by residents in the surrounding community were likely caused by the odorants added to the natural gas, such as mercaptans, and the long-term effect of exposure to these odorants is unknown. The Hearing Board issued an Order for Abatement that requires SoCalGas to fund a longer-term monitoring plan as well as a health study which will look at the short-term impacts. Dr. Fine noted that there were some elevated levels of H<sub>2</sub>S and benzene detected sporadically which were below the state standards.

Mr. Quinn asked if there is a plan to mitigate the increase in greenhouse gas emissions resulting from the methane released during the well leak. Dr. Fine responded that CARB has been charged with developing a plan. Dr. Lyou added that the CEC, the PUC, and Cal ISO are also reviewing safe levels for drawing reserves and noted that it may be helpful to have the results of the studies first before making those kinds of decisions.

Ms. Gornick asked how the stay for the Clean Power Plan will affect the state SIP. Dr. Fine responded that the state is going above and beyond what was required in the Clean Power Plan anyway. He added that, based on the appeal schedule of the lower court, the deadline for Title V could be delayed by two to three years; and if the case is appealed to the Supreme Court, the deadline could be delayed even further.

Mr. Rothbart noted that, with the passing of Justice Scalia, there could now be a 4-4 split vote and not a majority decision if the case is appealed to the Supreme Court. Philip Crabbe added that the lower court's decision would hold in the event of a 4-4 tie vote in the Supreme Court.

### State

The last date for new bills to be introduced is February 19, 2016. Spring recess is from March 17-28, 2016. Committee hearings for most of the new bills will not begin until late March. In the meantime, legislators are engaged in several informational hearings. On February 22, 2016, the Assembly Transportation Committee and the Senate Transportation and Housing Committee will be holding a joint informational hearing on how CARB's air quality and emission reduction programs relate to the transportation sector. Also, the Senate Environmental and Quality Committee is planning an informational hearing on the oversight of SCAQMD's RECLAIM Program.

Overall, it is expected that over 1,000 bills will be introduced by the deadline. The following bills that were recently introduced were highlighted at the Legislative Committee meeting:

### AB 1550 (Gomez)

AB 1550 requires the Greenhouse Gas Reduction Fund Investment Plan to allocate a minimum of 25% of the available funding to projects located within disadvantaged communities and a separate and additional 25% to projects that benefit low-income households.

### AB 1710 (Calderon)

AB 1710 builds on the Charge Ahead California Initiative and requires CARB in coordination with other state agencies to develop and implement a comprehensive program to promote advanced-technology light-duty vehicle deployment in the state and to meet the goals established by the Governor and the Legislature, such as the Zero Emission Vehicles Action Plan and the Charge Ahead California Initiative.

### AB 1567 (O'Donnell)

AB 1567 creates zero and near-zero emissions programs through CARB focusing on intermodal terminals and a port energy efficiency program to be administered by the CEC.

### AB 1691 (Gipson)

AB 1691 sets a goal for CARB to replace 10,000 vehicles in disadvantaged communities through the Enhanced Fleet Modernization Program. The new program is subject to appropriation, but the author's staff has had positive discussions with the Budget Committee.

### Greenhouse Gas Reduction Fund (GGRF)

There are mounting pressures to spend the funding on a variety of programs. There is an uncommitted balance of \$1.6 billion in revenues from last year. For the current fiscal year, \$2 billion in revenues is expected. In addition to calls for the Governor to restore funds to social service programs, several other programs are close to running out of funds. There have been numerous bills allocating GGRF funds to new programs or purposes.

The legislative session has begun with a variety of oversight informational hearings including: (1) Assembly Transportation Committee: Sustainable Freight Action Plan Hearing; (2)



Assembly Environmental Safety and Toxic Materials Committee: Waste Facility Closure (Exide); and (3) Assembly Utilities and Commerce Committee (SoCalGas/Porter Ranch community issue).

**Discussion/State**

There was no discussion.

 [Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 20

REPORT: Mobile Source Committee

SYNOPSIS: The Mobile Source Committee met on Friday, March 18, 2016. Following is a summary of that meeting. The next Mobile Source Committee meeting is scheduled for Friday, April 15, 2016 at 9:00 a.m.

RECOMMENDED ACTION:  
Receive and file.

Dr. Clark E. Parker, Sr., Chair  
Mobile Source Committee

PMF:afm

---

### **Attendance**

Committee Chair Dr. Clark E. Parker, Sr. attended via videoconference; Committee Members Dr. Joseph Lyou, Ben Benoit, and Judith Mitchell attended at SCAQMD headquarters. Committee Members Shawn Nelson and Larry McCallon were absent. Dr. Parker appointed Supervisor Janice Rutherford as a Committee Member for today's meeting. Dr. Parker called the meeting to order at 9:04 a.m.

### **INFORMATIONAL ITEMS:**

#### **1) Update on Progress towards PM2.5 Attainment**

Joe Cassmassi, Planning and Rules Director, briefed the Committee on the progress toward attainment of the PM2.5 standards, based on the ambient and near-road site measurements through 2015. Annual average PM2.5 has continued to improve and the 2013-2015 design value for the highest station (Mira Loma) was at the lowest level since these measurements began. Annual design values exceed the current 2012 federal standard (12.0  $\mu\text{g}/\text{m}^3$ ) at five Basin stations, but remain below the former 1997 standard (15  $\mu\text{g}/\text{m}^3$ ). The trend for Basin maximum 24-hour PM2.5

design value increased in both 2014 and 2015, with design values for both Mira Loma and Riverside exceeding the standard in the 2013-2015 period. This upturn is connected to the long-term drought in Southern California, with the low frequency of rainfall and lack of dispersion associated with storm systems in the fall and winter months leading to more violations of the 24-hour standard. In the first quarter of 2015, 17 days exceeded the PM2.5 standard at Mira Loma, all in the first quarter when rainfall frequency was lowest.

As per U.S. EPA requirements, near-road measurements began on January 1, 2015 at two locations near heavily trafficked roadways in the Basin: the Route 710 Near-Road site in Los Angeles County between Long Beach and Compton; and the Route 60 Near-Road site, close to the San Bernardino/Riverside County border near Ontario, Mira Loma and Upland. The 2015 1-year annual averages at these stations are higher than the nearby ambient stations. If this relationship holds true in future years, the Route 60 Near-Road station may surpass Mira Loma as the Basin's design value site for the annual average federal PM2.5 standard.

Dr. Clark E. Parker, Sr. asked if the Route 710 Near-Road PM2.5 measurements had dropped as compared to past measurements at that location before the permanent station was installed. Staff responded that it is difficult to discern trends in the PM2.5, but NOx levels have decreased. Dr. Lyou asked if staff had expected the higher concentration at the Route 710 site. Staff responded that they had expected that the near-road measurements would be higher than the ambient stations due to roadway emissions, but that the Route 60 station is more likely to be the Basin design value site, not the Route 710 near-road site. Barbara Baird, Chief Deputy Counsel, commented that the annual PM2.5 federal standard is now lower than when SCAQMD started measurements at the Route 710 site. Dr. Lyou commented that the inclusion of near-road monitoring, as opposed to only ambient monitoring, changes the whole game as to how we will need to look at attainment in the future. Staff responded that given the large number of people who live near freeways in the Basin, the near-road sites provide valuable consideration.

## **2) Update on AQMP Development**

Dr. Philip Fine, Deputy Executive Officer/Planning, Rule Development and Area Sources, provided a list of the five air quality standards to be addressed or updated in the integrated 2016 Air Quality Management Plan (AQMP or Plan) along with the latest year of attainment for each standard and the SIP submittal due date. He explained the overall challenge in meeting the two 8-hour ozone standards. Dr. Fine offered the corresponding "fair share" emission reduction targets based on 50 and 60 percent NOx reductions to meet the standards in 2023 and 2031, respectively. It should be noted a substantial amount of reductions will require incentive money to implement successfully.

Dr. Fine posed six major policy questions for discussion that will guide the continuing development of the 2016 AQMP. These questions include achieving fair share reductions; relying on or eliminating “black box” measures; proposing local mobile source measures; a potential update to the 80 ppb ozone SIP; utilizing incentive funding, and analyzing socioeconomic impacts. In accordance with the Clean Air Act, the failure to submit an adequate Plan or implement the Plan is subject to federal sanctions.

The schedule for the 2016 AQMP needs to provide adequate time for stakeholders and the public to review and comment on the Plan as well as corresponding CEQA documents and socioeconomic analyses. A defensible, approvable Plan reflecting Governing Board policy is preferable to an expedited Plan since it was more important to “get it right” than to “get it fast.” Staff continues to develop the 2016 AQMP with several draft chapters already prepared and on-going formulation of the stationary source measures. Direction from the Mobile Source Committee on the major policy questions would assist in the progress.

Dr. Parker inquired if California’s Assembly Bill 32 (AB 32) cap and trade funds would be used locally. The California Air Resources Board (CARB) has solicited comments as to how the funds should be spent and the California Air Pollution Control Officers Association (CAPCOA) has expressed a desire for local control of the funds. Dr. Joseph Lyou highlighted that the unspent funds totaling \$3.1 billion have been appropriated into next fiscal year’s budget to be decided at a later date. He also noted that the Greenhouse Gas (GHG) Reduction Fund Expenditures will be discussed at the upcoming SCAQMD Home Rule Advisory Group meeting on March 23, 2016. A further discussion took place regarding the uncertainty whether the cap and trade funds will be allocated to GHG reduction projects or programs not related to air quality.

Councilmember Judith Mitchell questioned the status in discussing fair share emission reductions with U.S. EPA and CARB. SCAQMD and CARB staff intend to submit a Plan with called-for reductions from federal sources included. Ultimately, if the plan is unable to demonstrate attainment, the U.S. EPA is required to prepare a federal implementation plan (FIP) for the region, under which it is likely that source controls would be part of the emission reduction strategy to achieve the standards. Both Councilmember Mitchell and Dr. Lyou expressed support for the fair share approach.

Councilmember Mitchell also supported the elimination of the “black box” and Dr. Lyou added it is prudent to define the future technologies or “black box” measures given the fast-approaching deadlines. Staff clarified that CARB plans to more explicitly define the specific sources associated with the emission reductions from the

“further deployment of cleaner technologies” under the federal and state strategy. This process will also assist in determining the amount of incentive funding necessary to implement each measure.

Councilmember Mitchell supported the need to include local mobile source measures as part of the SCAQMD control strategy and upon inquiry, she was reassured that the emission reductions from the proposed local mobile source measures would not overlap or interfere with CARB’s mobile source strategy measures. Further, Councilmember Mitchell wanted to ensure the incentive money was prioritized for the most cost effective programs and projects.

Dr. Lyou suggested a modification to the existing SCAQMD Fleet Rules since electrification of fleet vehicles is available technology as demonstrated by the Antelope Valley Transit Authority that recently purchased a fleet of 85 electric buses and expects to save more than \$46 million over the life of the buses. Staff responded that CARB is examining their existing transit bus regulations but the outcome of that effort is unclear. While the Fleet Rules regulate publicly owned vehicles or those under contract with a public entity, SCAQMD legal counsel noted there is a potential pathway to regulate private fleets if CARB receives a waiver from U.S. EPA. Staff noted current programs that convert fleets such as refuse trucks and school buses to cleaner engines.

The conversation migrated to the collaborative work with the Ports of Los Angeles and Long Beach on their Clean Air Action Plan (CAAP). The current update to the CAAP, considered 3.0, is being developed through a continuation of that collaboration. Councilmember Mitchell supported such collaborative efforts and emphasized a natural turnover of the fleet into cleaner technologies was more effective than by obligatory action since a number of trucks embody new technology or are recently upgraded to be cleaner. She was also encouraged that CARB recently certified heavy-duty diesel engines at a low-NOx standard of 0.02 g-bhp/hr. Staff agreed that Proposition 1B funding and credits for zero and near-zero technologies will support engine retrofits that meet the emission standard of 0.02 g-bhp/hr and noted the role of renewable natural gas and/or diesel fuel in allowing access to GHG mitigation funding.

Councilmember Mitchell and Dr. Lyou voiced their support of a full integrated Plan, including an updated attainment demonstration for the 80 ppb ozone standard by 2023, primarily to allow a comprehensive fair share strategy and take full advantage of pollutant co-benefits. Councilmember Ben Benoit asked about the downside to not submitting an integrated Plan. Dr. Fine replied that any U.S. EPA action on a SIP submittal is subject to litigation.

Utilizing incentive funding was not only encouraged by Councilmember Mitchell, but she noted that there are not many alternatives to successfully implement the Plan without incentives. Dr. Lyou agreed.

Dr. Parker asked which area of the overall strategy could be viewed as the most problematic in implementing. Staff replied that federal sources would be the biggest challenge. For example, aircraft emissions have increased over time due to greater activity to an extent not offset by cleaner engines. Further, marine vessel emission standards are set by the International Maritime Organization (IMO), but no ships are currently being built with Tier 3 engines, which is a proven technology.

Dr. Lyou appreciated the schedule flexibilities regarding timing, but suggested a third option, to prepare the Plan both quickly and effectively. He also recommended this 2016 AQMP presentation be shown to all the Board members for their feedback. Councilmember Mitchell mentioned that this AQMP process was extensively discussed at the March 17, 2016 CARB Board meeting.

Supervisor Janice Rutherford expressed the desire for continued discussion rather than rushed decisions on these important matters particularly since she and Mayor Larry McCallon are new to the process. She added an appreciation for the fair share approach but was interested in the progress with lobbying for cooperation and funding on the federal level. Lisha Smith, Deputy Executive Officer/Legislative & Public Affairs, responded that SCAQMD staff has met with staff of California's Congressional delegation, such as Sen. Feinstein, Sen. Boxer, Rep. Calvert and Rep. Schiff. In general, the federal level is more interested in an incentive approach as opposed to a regulatory approach. SCAQMD staff is planning for more staff level meetings to secure more incentive dollars. Dr. Lyou offered to assist in raising the conversation to a higher federal level. Ms. Smith suggested staff level meetings to discuss details first, so that when the higher level meetings take place, an agreement could be confirmed more efficiently. Similarly, Councilmember Mitchell would support lobbying for some of the \$10 billion in federal goods movement funds, as the Ports contribute to the air quality problem.

Finally, Dr. Parker inquired about the participation of U.S. EPA and CARB with their respective strategies. The strategies are within their regulatory authorities but there are restrictions on their timing to implement. With regard to incentives, U.S. EPA does not have a recurring budget for incentives, so legislation would be necessary to increase incentive funding. Dr. Parker suggested a delegation to emphasize the local needs, especially since this region represents five percent of the national population.

One member of the public commented that "fair share" should be viewed as more reductions from mobile and federal sources that emit a vast majority of overall NOx emissions as opposed to stationary sources which have already achieved dramatic

emission reductions over the years in a region that is likely the most heavily regulated in the nation. In addition, the commenter questioned if a stationary source emission reduction strategy is even possible with such minimal existing NOx emissions.

**WRITTEN REPORTS:**

**3) Rule 2202 Activity Report**

The report was received as submitted.

**4) Monthly Report on Environmental Justice Initiatives – CEQA Document Commenting Update**

The report was received as submitted.

**OTHER BUSINESS:**

None.

**PUBLIC COMMENT:**

None.

The meeting was adjourned at approximately 10:40 a.m.

**Attachment**

Attendance Roster

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
MOBILE SOURCE COMMITTEE MEETING  
Attendance Roster – March 18, 2016**

NAME	AFFILIATION
Dr. Clark E. Parker, Sr. (videoconference)	SCAQMD Governing Board
Dr. Joseph Lyou	SCAQMD Governing Board
Councilmember Ben Benoit	SCAQMD Governing Board
Councilmember Judith Mitchell	SCAQMD Governing Board
Supervisor Janice Rutherford	SCAQMD Governing Board
Board Consultant Mark Abramowitz	SCAQMD Governing Board (Lyou)
Board Consultant Chung Liu	SCAQMD Governing Board (Mitchell)
Board Consultant Ron Ketcham	SCAQMD Governing Board (McCallon)
Board Consultant Ruthanne Taylor Berger	SCAQMD Governing Board (B. Benoit)
Board Consultant Andy Silva	SCAQMD Governing Board (Rutherford)
Lori Ballance	Gatzke, Dillon & Ballance
Sue Gornick	Western States Petroleum Association
Tom Gross	Southern California Edison
Bill LaMarr	CA Small Business Alliance
Julia Lester	Ramboll Environ
Daniel McGivney	SoCalGas
Noel Muyco	SoCalGas
Rongsheng Luo	SCAG
David Rothbart	Los Angeles County Sanitation Districts
Susan Stark	Tesoro
Christine Truong	Los Angeles Department of Water & Power
Lee Wallace	SoCalGas
Peter Whittingham	Curt Pringle & Associates
Michael O'Kelly	SCAQMD Staff
Philip Fine	SCAQMD Staff
Barbara Baird	SCAQMD Staff
Kurt Wiese	SCAQMD Staff
Joe Cassmassi	SCAQMD Staff
Henry Hogo	SCAQMD Staff



**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
MOBILE SOURCE COMMITTEE MEETING  
Attendance Roster – March 18, 2016**

Matt Miyasato	SCAQMD Staff
Lisha Smith	SCAQMD Staff
Laki Tisopulos	SCAQMD Staff
Jill Whynot	SCAQMD Staff
Jo Kay Ghosh	SCAQMD Staff
Tracy Goss	SCAQMD Staff
Priscilla Hamilton	SCAQMD Staff
Michael Krause	SCAQMD Staff
Chris Marlia	SCAQMD Staff
Kim White	SCAQMD Staff

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 21

REPORT: Stationary Source Committee

SYNOPSIS: The Stationary Source Committee met Friday, March 18, 2016. Following is a summary of that meeting.

RECOMMENDED ACTION:  
Receive and file.

Ben Benoit, Chair  
Stationary Source Committee

MN:eb

---

### **Attendance**

The meeting began at 10:45 a.m. In attendance at SCAQMD Headquarters were Committee Chair Ben Benoit and Committee Members Dr. Joseph Lyou (left at 11:15 a.m.), Judith Mitchell and Janice Rutherford. Shawn Nelson attended via videoconference. Absent was Committee Member Larry McCallon.

### **INFORMATIONAL ITEMS**

#### **1. Status Report on Complaint Tracking and Reporting System for Oil and Gas Production Facilities**

Susan Nakamura, Director of Strategic Initiatives, presented a status update on the development and implementation of the tracking system for Rule 1148.1 – Oil and Gas Production Wells. The objective is to develop a web-based system so the public can monitor the status of odor complaints and compliance with Rule 1148.1 for oil and gas production facilities.

Supervisor Nelson expressed concern that without any quantitative method to define an odor there is the possibility for the public to misuse the process and to coordinate complaints and rally neighbors together against a facility. In addition, the type of odor is subjective regarding whether it is or is not objectionable or a nuisance. Councilmember Mitchell commented that there are some oil and gas well sites that are located in densely packed residential communities with people

complaining of nosebleeds and other health impacts from noxious odors; the rule establishes a process to identify if there is a significant problem and reasonable ways to address the situation. Supervisor Nelson commented that some oil and gas sites were there before urbanization. In response to a question by Supervisor Nelson, Mohsen Nazemi Deputy Executive Officer of Engineering and Compliance explained how odor complaints are investigated and that the sense of smell is still the best method of detecting and verifying an odor. Dr. Lyou asked if there is a more quantitative approach and asked for confirmation from District Counsel regarding success in prosecuting odor nuisance violations. Kurt Wiese commented that the SCAQMD has successfully prosecuted odor nuisance cases, even though odors are subjective.

One public comment was received from Dr. Tom Williams of the Sierra Club who indicated that there is currently no better technology that can duplicate the success of a person's ability to detect odors, and that the public interface should include a map of all oil and gas well production sites. He also referred to other oil and gas production sites which have totally enclosed the production well to address odors.

## **2. BACT and BARCT Review for Oil and Gas Production Facilities**

Alfonso Baez, Program Supervisor, provided the Committee with a report on findings and recommendations of a comprehensive BACT and BARCT review applicable to Oil and Gas Production Facilities, based on the Board's direction included in the Resolution of the September 4, 2015 amendments to Rule 1148.1- Oil and Gas Production Facilities. Staff's review of BACT and BARCT focused on existing BACT Guidelines, comments and concerns by public cited in the staff report of the September 2015 Rule 1148.1 amendment, recent BACT and BARCT applied to permitted equipment at Oil and Gas Production facilities, site visits to oil and gas production facilities in urban areas, State and Federal regulations, CARB and U.S. EPA BACT/LAER Clearinghouse and other California Air Districts. The findings included the following: BACT and BARCT being applied, Rule 1148.1 represents BARCT as the most stringent control limits, other air districts in California have permitting requirements for wells, monitor optical remote sensing studies for future BACT/BARCT, and monitor new proposed regulations by CARB and U.S. EPA for future BACT/BARCT considerations. Recommendations consisted of updating Part D (minor sources) of BACT Guidelines with compliance with Rules 1148 and 1148.1 as BACT for Wellheads, updating Part B (major sources) of BACT Guidelines with low emission flare determination, and continue reviewing future potential BACT and BARCT updates for Oil and Gas Production Facilities.

Dr. Lyou had to leave the meeting, so Councilmember Mitchell inquired on his behalf if BACT was applied during the permitting of equipment at oil and gas

production facilities. Mr. Nazemi stated that BACT is applied during permitting for a modification for equipment at an existing facility, or new construction at a facility.

Dr. Tom Williams stated that definition of a “leak” needed to be further clarified and asked if it was VOC or non-methane VOC, because VOC include methane. He also stated the potential for full enclosure should be considered as BACT/BARCT for Oil and Gas Production Facilities and requested that a listing and map of major and minor Oil and Gas Production sources, as well as lists for “Best Practical” Controls and Best Available Controls, should be made available. He also referred to the sites which have fully enclosed the production wells.

### **3. Aliso Canyon Facility Update**

Mohsen Nazemi presented an update on the status of the natural gas leak at the Southern California Gas Company’s (SoCalGas) Aliso Canyon facility in Porter Ranch. Mr. Nazemi’s presentation included a brief background of the operation at the Aliso Canyon facility, the leak at Well SS-25, and SoCalGas’s actions taken to stop the leak. He also provided a detailed summary of SCAQMD’s continuing activities as result of this incident, including response to complaints, ongoing inspections, air sampling and monitoring, SCAQMD Order of Abatement, and coordination with other governmental agencies including the California Division of Oil, Gas, and Geothermal Resources (DOGGR).

Councilmember Mitchell asked staff if the methane level at the community has returned to levels typically occurring prior to the leak. Staff responded that the DOGGR has confirmed that as of February 18, 2016 the leak has been permanently sealed; however, soil surrounding SS-25 is still off-gassing some methane as a result of the methane leak venting through the soil prior to when the leak was capped. Also, the methane concentration levels in the surrounding community are slightly above the limit that SCAQMD has set for methane background level (3 ppm).

Dr. Tom Williams voiced his concerns that composition of the gas released into the air is still unknown because gas samples from the actual plume were not taken. He stated that he does not believe that the methane measured in the community is due to the SS-25 leak. He also asked if radon was measured in the community. Mr. Nazemi responded that gas samples were taken from near the leak site and other wells in Aliso Canyon facility, and the results are posted on SCAQMD’s website. Staff also explained that, based on geographical and meteorological conditions in the Porter Ranch area, they disagreed with Dr. Williams, and were convinced that the methane measured in the community was due to the leak. With regards to radon, Mr. Nazemi indicated that Los Angeles Unified School District did its own measurements and found the radon levels at the two nearby schools to be below the federal radon standards set for schools.

#### **4. Sunshine Canyon Landfill Update**

Dr. Philip M. Fine, Deputy Executive Officer of Planning, Rule Development and Area Sources, provided an overview of compliance activities, recent landfill improvements, and annual emissions reporting for Sunshine Canyon Landfill (SCL). Additionally, he presented the results and findings of an air monitoring study were presented and discussed the additional toxics monitoring that the city will be conducting at two sites near the SCL. Dr. Fine mentioned that a multi-agency task force will reconvene soon. Mr. Nazemi added that there are several task force groups and committees related to the SCL, such as the SCL Technical Advisory Committee, SCL Community Advisory Committee, SCL Local Enforcement Agency Board of Directors and other committees and taskforces, and SCAQMD has participated in these meetings.

Councilmember Mitchell inquired if these are underground collections of landfill gas under negative pressure. Mr. Nazemi confirmed and added that Sunshine Canyon Landfill has upgraded their equipment. Councilmember Mitchell inquired if there is any effect on ground water. Mr. Nazemi responded that the Regional Water Quality Control Board has monitoring requirements for clean water; however, staff is not aware of any issues. One public comment was received from Dr. Tom Williams who commented that the Mountain Gate Country Club was once a landfill in West L.A. He recommends adding a low wind MET station to help determine late night odors, since not enough information has been gathered to resolve the issues. Dr. Williams suggests working with the community regarding the odor problems and installation of detection equipment for these gases in order to determine if there are other sources that are causing these odors. Mr. Nazemi replied that these odors have been verified as landfill gas or odors from fresh trash. Dr. Fine added that due to statewide waste regulations, the mixture of trash is different from what it used to be.

#### **WRITTEN REPORTS**

All written reports were acknowledged by the Committee.

#### **PUBLIC COMMENTS**

There were no Public Comments.

The next Stationary Source Committee meeting is scheduled for April 15, 2016. The meeting was adjourned at 12:15 p.m.

#### **Attachments**

Attendance Roster

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
STATIONARY SOURCE COMMITTEE  
March 18, 2016  
ATTENDANCE ROSTER (Voluntary)**

NAME	AFFILIATION
Councilmember Ben Benoit	SCAQMD Governing Board Member
Councilmember Judith Mitchell	SCAQMD Governing Board Member
Supervisor Shawn Nelson (Videoconference)	SCAQMD Governing Board Member
Dr. Joseph Lyou	SCAQMD Governing Board Member
Supervisor Rutherford	SCAQMD Governing Board Member
Board Consultant Chung Liu	SCAQMD Governing Board (Mitchell)
Board Consultant Marisa Perez	SCAQMD Governing Board (Mitchell)
Michael O'Kelly	SCAQMD Staff
Kurt Wiese	SCAQMD Staff
Barbara Baird	SCAQMD Staff
Mohsen Nazemi	SCAQMD Staff
Philip Fine	SCAQMD Staff
Jill Whynot	SCAQMD Staff
Matt Miyasato	SCAQMD Staff
Bayron Gilchrist	SCAQMD Staff
Susan Nakamura	SCAQMD Staff
Al Baez	SCAQMD Staff
Tina Cox	SCAQMD Staff
Dr. Tom Williams	Sierra Club
Bill LaMarr	California Small Business Alliance
David Rothbart	Los Angeles County Sanitation District
Daniel McGivney	SoCalGas
Lee Wallace	SoCalGas
Sue Gornick	Western States Petroleum Association
Ivan Tether	Tether Law
Diana Lang	Warren E&P Inc.

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
STATIONARY SOURCE COMMITTEE  
March 18, 2016  
ATTENDANCE ROSTER (Voluntary)**

Annie Hsu	Avanti Environmental
Lori Ballance	Gatzke Dillon & Ballance
Susan Stark	Tesoro Corp.
Peter Whittingham	Curt Pringle & Associates

[↑ Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 22

REPORT: Technology Committee

SYNOPSIS: The Technology Committee met on March 18, 2016. Major topics included Technology Advancement items reflected in the regular Board Agenda for the April Board meeting. A summary of these topics with the Committee's comments is provided. The next Technology Committee meeting will be held on April 15, 2016.

RECOMMENDED ACTION:  
Receive and file.

John J. Benoit  
Technology Committee Chair

MMM:pmk

---

**Attendance:** Supervisor John J. Benoit and Councilmember Joe Buscaino participated by videoconference. Councilmember Judith Mitchell and Supervisor Janice Rutherford were in attendance at SCAQMD headquarters. Mayor Larry McCallon and Councilmember Dwight Robinson were absent due to a conflict with their schedules.

## APRIL BOARD AGENDA ITEMS

### 1. Recognize Funds and Issue RFP for In-Use Emissions Testing of On-Road Heavy-Duty Vehicles

Assessment of in-use emissions from heavy-duty vehicles remains a critical component for measuring the effectiveness of engine, fuel and aftertreatment technologies as well as the South Coast Air Basin's progress toward achieving the federal ambient air quality standards. SCAQMD staff proposes to conduct in-use emissions testing, fuel usage profile characterization, and an impact assessment of current technology and alternative fuels on fuel consumption and in-use emissions from heavy-duty vehicles in various vocations. This action is to recognize funds of up to \$2.5 million from CEC and the Southern California Gas Company to cofund this project. This action is to also issue an RFP to solicit proposals to conduct in-use



emissions testing, fuel usage profile characterization, and an impact assessment of current technology and alternative fuels on fuel consumption and in-use emissions from heavy-duty vehicles.

*Councilmember Mitchell asked how the proposed study differs from what CARB does, and how the study will be used. Staff indicated that CARB uses an engine dynamometer for engine certification test and chassis dynamometer to measure vehicle emissions while the vehicle is stationary. This study will install emission measurement tools on test vehicles and measure in-use emissions as the vehicles are driven along regular routes. The information will be used to identify a representative drive cycle for heavy-duty vehicles and improve emission inventory estimates used in future EMFAC emissions modeling and for future AQMP development. Councilmember Mitchell also asked about NOx emission reduction from renewable diesel-fueled vehicles over conventional diesel-fueled vehicles. Staff responded that it ranges between 5% and 20%. Supervisor Benoit asked how test vehicles will be selected. Staff indicated that test vehicles will be selected based on engine age, mileage (at least 5,000 miles), fuel type (including hybrid and fully electric technology), and the representativeness of the vehicles to the heavy-duty vehicle population in the Basin.*

*Moved by Mitchell; seconded by Rutherford; unanimously approved.*

*Ayes: Buscaino, Mitchell, Rutherford, Benoit*

*Noes: None*

*Absent: McCallon and Robinson*

## **2. Other Business**

*There was no other business.*

## **3. Public Comment Period**

*There was no public comment.*

**Next Meeting: April 15, 2016**

**Attachment**

Attendance

**Attachment – Attendance**

Supervisor John J. Benoit (via videoconference).....	SCAQMD Governing Board
Councilmember Joe Buscaino (via videoconference).....	SCAQMD Governing Board
Councilmember Judith Mitchell.....	SCAQMD Governing Board
Supervisor Janice Rutherford.....	SCAQMD Governing Board
Matthew Holder.....	Board Consultant (Robinson)
Ron Ketcham.....	Board Consultant (McCallon)
Marisa Perez.....	Board Consultant (Mitchell)
Andrew Silva.....	Board Consultant (Rutherford)
Mark Taylor.....	Board Consultant (Rutherford)
Michael B. O’Kelly, Acting Executive Officer.....	SCAQMD
John Olvera, Principal Deputy District Counsel.....	SCAQMD
Matt Miyasato, STA.....	SCAQMD
Henry Hogo, STA.....	SCAQMD
Fred Minassian, STA.....	SCAQMD
Laki Tisopulos, STA.....	SCAQMD
Naveen Berry, STA.....	SCAQMD
Dean Saito, STA.....	SCAQMD
Adewale Oshinuga, STA.....	SCAQMD
Dominic Tung, IM.....	SCAQMD
Donna Vernon, STA.....	SCAQMD
Pat Krayser, STA.....	SCAQMD
Danielle Robinson.....	CARB

[↑ Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 23

REPORT: Mobile Source Air Pollution Reduction Review Committee

SYNOPSIS: Below is a summary of key issues addressed at the MSRC's meeting on March 17, 2016. The next meeting is scheduled for Thursday, April 21, 2016, at 2:00 p.m., in Conference Room CC8.

RECOMMENDED ACTION:  
Receive and file.

Michael D. Antonovich  
SCAQMD Representative on MSRC

MMM:HH:AP

---

### **Meeting Minutes Approved**

The MSRC unanimously approved the minutes of its November 19 and December 17, 2015 meetings. Those approved minutes are attached for your information (*Attachments 1 and 2*).

### **FYs 2014-16 Major Event Center Transportation Program**

As part of the FYs 2014-16 Work Program, the MSRC allocated \$4.5 million for event center transportation programs and released a Program Announcement to solicit projects for traffic-impacted centers. At their November 19, 2015 meeting, the MSRC allocated an additional \$123,866, and to date, the MSRC has awarded a total of \$3,915,899. The MSRC considered recommendations concerning an additional application. OCTA requested the MSRC to consider an award of \$128,500 to provide special bus transportation services between the Goldenwest Transportation Center in Huntington Beach and Angel Stadium of Anaheim for 50 regular season, weekday evening, home games beginning April 4, 2016. The service would be scheduled to arrive prior to the beginning of each game. Three to four dedicated buses would be used per game. At the conclusion of the game, buses would be staged waiting for passengers before departing, even in the event of extra innings. The proposed service would provide direct connectivity, depending upon time of day, to a variety of transit modes, including other OCTA bus routes and carpools. In addition, riders could access the service by bicycle

through the existing bikeway system and supporting bike amenities that are available at the Center. In addition, the use of high capacity clean fuel buses would reduce automobile traffic in and around the Stadium, reducing traffic congestion and thereby reducing vehicle exhaust emissions. OCTA would contribute no less than 50% of the total cost of \$259,610. The MSRC approved a contract award to OCTA in an amount not to exceed \$128,500 to implement the 2016 Angels Express Bus service as part of the FYs 2014-16 AB 2766 Discretionary Fund Work Program.

This contract award will be considered by the SCAQMD Board at its April 1, 2016 meeting.

**FYs 2014-16 Transportation Control Measure Partnership Program**

As part of the FYs 2014-16 Work Program, the MSRC allocated \$10.0 million for a program to partner with cities, County Transportation Commissions (CTCs) and others to demonstrate transportation control measure (TCM) projects. Innovative TCM projects have potential to reduce significant numbers of automobile trips or remove impediments to efficient traffic flow. The program is intended to provide a portion of the funding for projects, which when combined with other funding sources would accelerate the projects' implementation. Because CTCs typically solicit and co-fund the majority of TCM projects within their respective jurisdictions, the MSRC determined that CTCs would have the best overall perspective regarding the need for TCMs within their respective regions as well as knowledge of where funding can most effectively be applied. Therefore, the MSRC asked CTCs to bring forward work plans proposing projects for funding. Other interested entities would then participate in the projects via separate agreements with the CTCs. To date, the MSRC has awarded \$2,335,027 for three work plans. Five additional work plans were submitted for consideration. The MSRC-TAC unanimously recommended, and the MSRC unanimously approved, five awards totaling \$7,212,898 as part of the FYs 2014-16 AB 2766 Discretionary Fund Work Program, as follows:

1. A contract with Los Angeles County Metropolitan Transportation Authority (Metro) in an amount not to exceed \$2,500,000 to modernize and expand the existing Willowbrook/Rosa Parks Transit Station, increasing station capacity, improving multi-modal connections, and addressing safety and security concerns;
2. A contract with SANBAG in an amount not to exceed \$1,000,000 to coordinate traffic signals throughout the valley portion of the County of San Bernardino, developing timing plans and upgrading signal system equipment to increase traffic mobility;

3. A contract with SANBAG in an amount not to exceed \$250,000 to implement the “Active Transportation Safety, Encouragement Campaign for Open Streets and Temporary Events” plan, supporting local initiatives to host Open Streets and temporary pop-up events to encourage use of active transportation;
4. A contract with OCTA in an amount not to exceed \$1,553,657 to implement a mobile ticketing system, purchasing readers for installation on buses in order to modernize their fare collection system and increase the attractiveness of transit as an alternative to auto travel;
5. A contract with Riverside County Transportation Commission (RCTC) in an amount not to exceed \$1,909,241 to implement commuter rail “first mile/last mile” active transportation strategies, addressing bicycle storage concerns and safe and efficient pedestrian and bike access at Metrolink stations as well as in adjacent streets and communities in order to reduce motor vehicle trips to the stations while increasing overall passenger rail ridership.

These contract awards will be considered by the SCAQMD Board at its April 1, 2016 meeting.

#### **Development of Near-Zero Natural Gas Engine Incentive Program**

With the advent of certification of the Cummins Westport 8.9-liter 0.02-gram NOx engine, the MSRC directed their staff to look at options to implement a potential near-zero emission natural gas heavy-duty engine program. At today’s meeting, staff presented some preliminary ideas, an effort coordinated with the SCAQMD, on how the MSRC could utilize some of their remaining unallocated FY 2014-16 funds to get the engine to the marketplace.

Some initial ideas were presented, such as, to have a program which targets transit buses and refuse trucks; to have the “per vehicle” incentive as low as feasible to bring someone to the table to try to get the maximum number of vehicles; some options for a program structure, such as, first come-first served and geographic minimums, or a competition with maximum award amounts; and the overall program value (currently the unallocated budget balance is \$12.3 million dollars. The MSRC may choose to allocate any portion of that amount to this type of program).

The MSRC consensus was to have their staff engage the MSRC-TAC to form a Subcommittee to specifically look at this potential program and bring back recommendations and a draft solicitation for the MSRC to review in May. Staff was further directed to include the CARB Members to participate to ensure a program that is coordinated and, to the extent possible, dovetailed with any program that is offered by the State; and to also coordinate with SCAQMD to ensure the program is integrated with their incentive programs.

### **Contract Modification Requests**

The MSRC considered two contract modification requests and took the following actions:

1. For City of South Pasadena, Contract #ML11040, which provides \$30,000 for the purchase of one heavy-duty CNG vehicle, unanimously approved the substitution of a CNG vacuum truck for a CNG street pothole truck, and a three-year term extension.
2. For City of Fullerton, Contract #ML12015, which provides \$40,000 for the purchase of one heavy-duty CNG vehicle and to expand a CNG station, unanimously approved the substitution of a street sweeper for the service truck identified in the contract, and a one-year term extension.

### **Received and Approved Final Reports**

The MSRC received and unanimously approved four final report summaries this month as follows:

1. Waste Management Collection & Recycling, Inc., Contract #MS14039, which provided \$75,000 for maintenance facility modifications;
2. Waste Management Collection & Recycling, Inc., Contract #MS14040, which provided \$75,000 for maintenance facility modifications;
3. USA Waste of California, Inc., Contract #MS14041, which provided \$175,000 to construct a new CNG station and for maintenance facility modifications; and
4. Grand Central Recycling & Transfer Station, Inc., Contract #MS14042, which provided \$150,000 for the expansion of an existing CNG station.

### **Contracts Administrator's Report**

The MSRC's AB 2766 Contracts Administrator provides a written status report on all open contracts from FY 2004-05 through the present. The Contracts Administrator's Report for March, 2016 is attached for your information. (*Attachment 3*)

### **Attachments**

Attachment 1 – Approved November 19, 2015 Meeting Minutes

Attachment 2 – Approved December 17, 2015 Meeting Minutes

Attachment 3 – March, 2016 Contracts Administrator's Report



**MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE**  
**THURSDAY, NOVEMBER 19, 2015 MEETING MINUTES**  
21865 Copley Drive, Diamond, Bar, CA 91765- Conference Room CC-8

**MEMBERS PRESENT:**

(Vice Chair) Larry McCallon, representing SANBAG  
Michael Antonovich, representing SCAQMD (via v/c)  
Brad McAllester (Alt.), representing Los Angeles County MTA (via v/c)  
Dolores Roybal Saltarelli, representing Regional Rideshare Agency (via v/c)  
Adam Rush (Alt.), representing Riverside County Transportation Commission  
Greg Winterbottom, representing OCTA

**MEMBERS ABSENT:**

(Chair) Greg Pettis, representing RCTC  
Michele Martinez, representing SCAG  
Steve Veres, representing LA County MTA  
Erik White, representing California Air Resources Board

**MSRC-TAC MEMBERS PRESENT:**

(MSRC-TAC Chair) Gretchen Hardison, representing City of Los Angeles  
(MSRC-TAC Vice Chair) Tanya Love, representing RCTC  
Kelly Lynn, representing San Bernardino Associated Governments  
Dean Saito, representing SCAQMD

**OTHERS PRESENT:**

David Czamanske, SCAQMD Board Asst. (Cacciotti)  
Lauren Dunlap, SoCalGas  
Earl Elrod, SCAQMD Board Asst (Yates)  
Debra Mendelsohn, SCAQMD Board Asst. (Antonovich)  
Sheldon Peterson, RCTC  
Ric Teano, OCTA  
Robert J. Yates, RCTC

**SCAQMD STAFF & CONTRACTORS**

Ray Gorski, MSRC Technical Advisor-Contractor  
John Kampa, Financial Analyst  
Matt MacKenzie, MSRC Contracts Assistant  
Ana Ponce, MSRC Administrative Liaison  
Cynthia Ravenstein, MSRC Contracts Administrator  
Veera Tyagi, Senior Deputy District Counsel  
Rachel Valenzuela, MSRC Contracts Assistant

**CALL TO ORDER**

- Call to Order

MSRC Vice Chair Larry McCallon called the meeting to order at 2:07 p.m., in the absence of MSRC Chair Greg Pettis. Roll call was taken. The following members were present at time of roll call: ROYBAL SALTARELLI, MCALLESTER, WINTERBOTTOM, RUSH, MCCALLON.

- Opening Comments

There were no opening comments.

**PUBLIC COMMENT PERIOD**

- Public comments were allowed during the discussion of each agenda item. No comments were made on non-agenda items.

**STATUS REPORT**

- Clean Transportation Policy Update  
MSRC-TAC Chair Gretchen Hardison pointed out that this edition of the Clean Transportation Policy Update focuses on regulatory and policy issues. The previous update focused exclusively on recent legislation. She called attention to the re-adoption of the Low Carbon Fuel Standard, which just occurred a couple of months ago by the Air Resources Board. There are many other interesting tidbits of information, such as, changes to the Carl Moyer Program, Sustainable Freight, and Electric Vehicle Programs and Data.

**CONSENT CALENDAR (Items 1 through 5)****Receive and Approve Items****Agenda Item #1 – Summary of Final Reports by MSRC Contractors**

The MSRC received and unanimously approved five final report summaries this month as follows:

1. Southern California Regional Rail Authority, Contract #MS14088, which provided \$79,660 to implement special Metrolink service to Auto Club Speedway;
2. Orange County Transportation Authority, Contract #MS14007, which provided \$208,520 to implement special Metrolink service to Angel Stadium;
3. TIMCO CNG Fund I, Contract #MS14045, which provided \$150,000 to construct a new public-access CNG station in Inglewood;
4. Penske Truck Leasing Co., Contract #MS12078, which provided \$75,000 for maintenance facility modifications in Vernon.
5. Penske Truck Leasing Co., Contract #MS12081, which provided \$75,000 for maintenance facility modifications in Santa Ana.

Ms. Veera Tyagi, Senior Deputy District Counsel, noted that for Agenda Item #1, MSRC Member Greg Winterbottom does not have a financial interest, but is required to identify for the record that he is a member of the Board of Directors, which is involved in this item.



ON MOTION BY MSRC MEMBER ALTERNATE ADAM RUSH, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 5, THE MSRC UNANIMOUSLY VOTED TO APPROVE THE FINAL REPORTS ABOVE.  
AYES: ROYBAL SALTARELLI, MCALLESTER, WINTERBOTTOM, RUSH, MCCALLON.  
NOES: NONE.

**ACTION:** MSRC staff will file the final reports and release any retention on the contracts.

**Agenda Item #2 – Consider Adoption of 2016 Meeting Schedules**

Annually, the MSRC considers a proposed meeting schedule for the upcoming year. The schedule continues with meetings on the first and third Thursdays, respectively, for the MSRC-TAC and MSRC, with two exceptions. Staff recommends the MSRC-TAC meetings in January and December be held on the second Thursday of the month to avoid holiday conflicts.

ON MOTION BY MSRC MEMBER ALTERNATE ADAM RUSH, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 5, THE MSRC UNANIMOUSLY VOTED TO ADOPT THE 2016 MSRC AND MSRC-TAC MEETING SCHEDULES.  
AYES: ROYBAL SALTARELLI, MCALLESTER, WINTERBOTTOM, RUSH, MCCALLON.  
NOES: NONE.

**ACTION:** No further action is required.

**Receive and File Items**

**Agenda Item #3 – MSRC Contracts Administrator's Report**

The MSRC AB 2766 Contracts Administrator's Report for September 24 to October 28, 2015 was included in the agenda package.

ON MOTION BY MSRC MEMBER ALTERNATE ADAM RUSH, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 5, THE MSRC UNANIMOUSLY VOTED TO RECEIVE AND FILE THE CONTRACTS ADMINISTRATOR'S REPORT FOR SEPTEMBER 24 TO OCTOBER 28, 2015.  
AYES: ROYBAL SALTARELLI, MCALLESTER, WINTERBOTTOM, RUSH, MCCALLON.  
NOES: NONE.

**ACTION:** SCAQMD staff will include the MSRC Contracts Administrator's Report in the MSRC Committee Report for the December 4, 2015 SCAQMD Board meeting.

**Agenda Item #4 – AB 2766 Discretionary Fund Financial Report**

A financial report on the AB 2766 Discretionary Fund for the period ending October 31, 2015 was included in the agenda package.

ON MOTION BY MSRC MEMBER ALTERNATE ADAM RUSH, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 5, THE MSRC UNANIMOUSLY VOTED TO RECEIVE AND FILE THE FINANCIAL REPORT FOR THE PERIOD ENDING OCTOBER 31, 2015.

AYES: ROYBAL SALTARELLI, MCALLESTER, WINTERBOTTOM, RUSH, MCCALLON.

NOES: NONE.

**ACTION:** No further action is required.

**For Approval – As Recommended**

**Agenda Item #5 – Consider 6-Month Term Extension (23-Month Extension Already Pending) by City of Coachella, Contract #ML12057 (\$57,456 – Purchase of 1 CNG Heavy-Duty Vehicle and Regional Street Sweeping)**

In June 2015, the MSRC approved a 23-month term extension for the City of Coachella. Prior to executing the contract modification to effectuate that extension, the City has determined that the lowest responsive bidder cannot deliver the truck until April 2016. In order to allow for the required five years' operation, the City requests an additional 6-month no-cost term extension. The MSRC-TAC unanimously recommends approval.

ON MOTION BY MSRC MEMBER ALTERNATE ADAM RUSH, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 1 THROUGH 5, THE MSRC UNANIMOUSLY VOTED TO APPROVE AN ADDITIONAL 6-MONTH NO-COST TERM EXTENSION TO THE CITY OF COACHELLA, CONTRACT #ML12057.

AYES: ROYBAL SALTARELLI, MCALLESTER, WINTERBOTTOM, RUSH, MCCALLON.

NOES: NONE.

**ACTION:** MSRC staff will amend the above contract accordingly.

**ACTION CALENDAR (Items 6 through 10)**

**FYs 2014-16 WORK PROGRAM**

**Agenda Item #6 Consider Funding for Application Received Under the Alternative Fuel Infrastructure Program**

Cynthia Ravenstein, MSRC Contracts Administrator, reported on this item on behalf of Nicole Soto, who was not present at today's meeting. As part of the FYs 2014-16 Work Program, the MSRC allocated \$5.0 million for the implementation of new and expanded CNG and LNG refueling stations and modification of maintenance facilities to accommodate gaseous-fueled vehicles. A Program Announcement, #PA2015-12, was developed and released on May 1, 2015, with an open application period commencing that day and closing July 29, 2016. To date, the MSRC has awarded \$100,000 to one application. One additional application was received from EDCO Disposal Corporation. They had previously installed a public access CNG station with MSRC funding in an earlier work program. They are proposing to expand the capacity of that station. They have requested \$150,000. The MSRC-TAC recommends approval.

ON MOTION BY MSRC MEMBER GREG WINTERBOTTOM, AND SECONDED BY MSRC ALTERNATE ADAM RUSH, THE MSRC UNANIMOUSLY VOTED TO AWARD \$150,000 TO EDCO DISPOSAL CORPORATION TO EXPAND THEIR EXISTING PUBLICLY ACCESSIBLE CNG STATION IN BUENA PARK, AS PART OF THE FYS 2014-16 WORK PROGRAM.

AYES: ROYBAL SALTARELLI, MCALLESTER, WINTERBOTTOM, RUSH, MCCALLON.

NOES: NONE.

**ACTION:** Staff will include this award for consideration by the SCAQMD Board at its December 4, 2015 meeting.

**Agenda Item #7 – Consider Modification to Program Announcement for Major Event Center Transportation Programs**

MSRC-TAC Member Kelly Lynn, Chair/TCM Subcommittee, reported that RCTC has requested that there be an amendment to the Major Event Center Program Announcement. Currently event centers and transportation providers can submit proposals, but when the contracts are executed, they are executed between the transportation providers and the MSRC. RCTC is requesting that that be amended so that in the future, contracts can be executed between the MSRC and CTCs. This is important to them due to the next item on the agenda, which RCTC submitted. Therefore, they are asking for the Program Announcement to be amended.

MSRC Member Greg Winterbottom asked if this was a one-time occurrence for RCTC. Veera Tyagi, Senior Deputy District Counsel, commented that it cannot be a one-time thing for RCTC. If the Program Announcement is changed, it would apply to all applicants.

Ray Gorski, MSRC Technical Advisor, indicated that this does not have any broad-based implementation. This would only affect SANBAG and RCTC as the two CTCs who themselves do not operate transit services.

MSRC Alternate Brad McAllester asked, for clarification, if this is one more option under the rules that allows the CTC to submit; so it's kind of permissive language. The other options still apply. Ms. Lynn indicated that his understanding is correct.

ON MOTION BY MSRC MEMBER GREG WINTERBOTTOM, AND SECONDED BY MSRC ALTERNATE ADAM RUSH, THE MSRC UNANIMOUSLY VOTED TO APPROVE THE AMENDMENTS TO THE MAJOR EVENTS CENTER TRANSPORTATION PROGRAMS PROGRAM ANNOUNCEMENT.

AYES: ROYBAL SALTARELLI, MCALLESTER, WINTERBOTTOM, RUSH, MCCALLON.

NOES: NONE.

**ACTION:** Staff will include this item for consideration by the SCAQMD Board at its December 4, 2015 meeting.

**Agenda Item #8 – Consider Funding for Proposal Received Under the Major Event Center Transportation Program**

MSRC-TAC Member Kelly Lynn, Chair/TCM Subcommittee, reported that RCTC has submitted their proposal to provide passenger rail services to the Coachella and Stagecoach Festival for 2016 and 2017 beginning this coming April. They are asking for \$1.2 million dollars. The services would be two roundtrips for three weekends and they would be using Amtrak trains. They would be working closely with Golden Voice/Valley Music Travel for the shuttle services. The rail service would be between Union Station and Palm Springs. This is where RCTC wanted to make the change to the Program Announcement, because even though Amtrak is the transportation provider, RCTC expressed that they are the main ones that have pulled this together, therefore, they wanted to be the prime and the one in charge of this project.

MSRC Vice Chair Larry McCallon asked why this item as presented was not reviewed by the MSRC-TAC. Ms. Lynn replied that one the reasons is that the Coachella Music Festival starts in April and there was a concern about it being executed in time.

PUBLIC COMMENT: Robert Yates of RCTC indicated that the revised proposal was based on the input that was received at the TAC meeting. No other changes were made to the proposal. They were asked to remove the temporary platform from the Indio station, which they did. They were also asked to reduce the original funding request, which was for three years of service, to two years, which they did. They were also asked to clarify their cost calculation with respect to the fares, and they did that, as well. While technically, it did not go back to the TAC, the revised proposal is such as what the TAC asked them to do.

MSRC Alternate Adam Rush indicated that it was brought before the Technical Advisory Committee on the 5<sup>th</sup> of this this month, and those corrections and modifications were made subsequent to that meeting.

MSRC Member Greg Winterbottom said there are some legal considerations to the contract. Will they be coming back to the MSRC before any funds are distributed? Mr. Gorski indicated that there are a few issues that were unique to the RCTC proposal. Two of them have already been corrected, by virtue of the MSRC voting affirmatively for Agenda Item #7, and that was that RCTC in and of itself was not an eligible proposer and secondly that RCTC would not be an eligible recipient or contract signatory. Again Item #7 has removed that restriction, so that is no longer an issue. However, given that now RCTC will have legal authority to implement the contract on behalf of the SCAQMD and the MSRC, it will be entering into additional contracts with the other party participants, including Golden Voice, Valley Music Travel and Amtrak. The program will require that RCTC provide to the SCAQMD and MSRC executed contracts with those other participants. That is in keeping with our standard contracting practices. Other than that, staff does not see any additional legal impediments and/or programmatic administrative impediments to the project. Mr. Winterbottom asked if the MSRC will get those back before they do the funding. Mr. Gorski indicated that before anything is paid on the contract everything will be in place, no question.

Vice Chair Larry McCallon asked if RCTC has a commitment out of Amtrak.

PUBLIC COMMENT: Mr. Yates replied that they do have a commitment from Amtrak and the commitment also includes the use of Tier 2 locomotives which they will bring down from Northern California through their membership in LOSSAN.

Vice Chair Larry McCallon asked what kind of buses would be used from Palm Springs to Indio.

PUBLIC COMMENT: Mr. Yates replied that that is handled by Valley Music. He does not have the exact nature of the buses. They do use Sunline, but they also use private carriers, as well. Sunline is all CNG.

Mr. Winterbottom indicated that it would be best if they used Sunline. The MSRC can make an off-the-record recommendation that that would be a better choice.

Vice Chair Larry McCallon asked how many buses would be used.

PUBLIC COMMENT: Mr. Yates replied they are looking at 800 passengers per train, and two trains, so that's 1,600 passengers.

Mr. Gorski indicated that the contract will reflect an emissions standard that is required for the shuttle buses and all entities will be on notice as to what the requirements are from fuel use and cleanliness of the engine standards and that will be reported to staff. That is something that staff will be working on with RCTC prior to execution of the contract to ensure that the buses that are going to be utilized for the shuttle service do meet the program requirements.

MSRC Alternate Adam Rush asked for clarification that the Sunline buses would be the ideal standard and anything that would need to go outside of that would have to meet those emission standards, as well. Mr. Gorski replied that all buses are going to have to meet the 2010 emissions standards irrespective of who they are operated by. That would mean that they would have to have a 0.02 g/bhp-hr NOx certification and that their particulate matter emissions would have to be less than 0.01 g/bhp-hr. That would mean that for all intents and purposes it would be brand new non-alternative fuel bus or a newer alternative fuel bus.

Ms. Lynn indicated that the Major Events Center Program does not have an unreserved balance for the full \$1.2 million, so that is another thing the MSRC would have to decide on. Right now it is \$123,866 short. John Kampa, Fiscal Analyst, indicated that there is approximately \$8.3 million in the Unallocated Funding Balance.

[MSRC Member Michael Antonovich joined the meeting at 2:23 p.m.]

MSRC Alternate Adam Rush does not have a financial interest, but is required to identify for the record that he is a member of the Riverside County Transportation Commission, which is involved in this item.

ON MOTION BY MSRC ALTERNATE ADAM RUSH, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, THE MSRC UNANIMOUSLY VOTED TO APPROVE AN AWARD OF \$1.2 MILLION TO RCTC TO IMPLEMENT AMTRAK RAIL AND SHUTTLE SERVICE BETWEEN UNION STATION AND INDIO, AND TO REALLOCATE \$123,866 FROM THE UNDESIGNATED FUNDING BALANCE TO FULLY FUND THE RCTC PROPOSAL.

AYES: ANTONOVICH, ROYBAL SALTARELLI, MCALLESTER, WINTERBOTTOM, RUSH, MCCALLON.

NOES: NONE.

**ACTION:** Staff will include this contract award for consideration by the SCAQMD Board at its December 4, 2015 meeting.

**Agenda Item #9 – Consider Work Plan Received Under the Transportation Control Measure CTC Partnership Program**

MSRC-TAC Member Kelly Lynn, Chair/TCM Subcommittee, reported that this is a request from RCTC for Freeway Service Patrols (FSP) along the SR-91 Freeway. They are requesting \$590,759. This is for construction FSP along the SR-91 for approximately 10 months. They are concerned that a great much of the time there are not going to be any shoulders so they would like to make sure they have construction FSP for mid-day service on weekdays, extended p.m. service on Fridays, for weekend hours, and for 24-hour shoulder closures.

MSRC Alternate Adam Rush added that this project has approximately 15 more months. It has been difficult, but it is definitely going to be worth the while. There is a lot of construction going on all the time. For a \$1.3 billion project, it is going as well as humanly possible. MSRC-TAC Vice Chair Tanya Love added that the project encompasses a little over eight miles.

MSRC Alternate Adam Rush does not have a financial interest, but is required to identify for the record that he is a member of the Riverside County Transportation Commission, which is involved in this item.

ON MOTION BY MSRC ALTERNATE ADAM RUSH, AND SECONDED BY MSRC VICE CHAIR LARRY MCCALLON, THE MSRC VOTED UNANIMOUSLY TO APPROVE AN AWARD OF \$590,759 RCTC FOR FREEWAY SERVICE PATROLS ALONG THE SR-91 FREEWAY CORRIDOR FOR 10 MONTHS.

AYES: ANTONOVICH, ROYBAL SALTARELLI, MCALLESTER, WINTERBOTTOM, MCCALLON, RUSH.

NOES: NONE.

**ACTION:** Staff will include this award for consideration by the SCAQMD Board at its December 4, 2015 meeting.

**Agenda Item #10 – Consider Modification to Invitation to Negotiate for Transportation Control Measure CTC Partnership Program**

MSRC-TAC Member Kelly Lynn, Chair/TCM Subcommittee, reported that this goes back to the CTC Partnership Program for which \$10 million was allocated to this Work Program. Each CTC was allotted \$2.5 million. The CTCs are working on their Work Programs and the plans are starting to come in. However, we have been hearing from a number of the CTCs that some of the negotiations with cities, government entities, and private enterprises are taking a little bit longer than originally anticipated. The Invitation to Negotiate from MSRC went out in April. The original deadline to receive all of the plans from the CTCs was November 25, 2015. The CTCs are asking for an extension to January 29, 2016. This request was reviewed by the MSRC-TAC and they recommended approval.

MSRC Vice Chair Larry McCallon asked if the end of January gives the CTCs sufficient time, given the holidays coming up. Ray Gorski, MSRC Technical Advisor, said staff has had conversations with each of the four CTCs. They have all made representations that the end of January would be satisfactory, but we also understand the realities of pulling these partnerships together when there is a holiday period. To staff, there is absolutely no impact should it be extended beyond January 29, 2016. MSRC Member Greg Winterbottom recommended that the deadline should be extended to the end of February,

if there is no issue. The end of February is a more logical date. MSRC Alternate Adam Rush concurred. MSRC Alternate Brad McAllester agreed and added that they would appreciate the extra time given the holidays and Board schedules. Cynthia Ravenstein, MSRC Contracts Administrator indicated that February 29 is a Monday and the SCAQMD is closed, so she suggested either February 26 or March 1, 2016. Mr. Winterbottom then recommended March 1, 2016.

ON MOTION BY MSRC MEMBER GREG WINTERBOTTOM, AND  
SECONDED BY MSRC ALTERNATE ADAM RUSH, THE MSRC VOTED  
UNANIMOUSLY TO APPROVE THAT THE INVITATION TO NEGOTIATE  
BE MODIFIED TO EXTEND THE COUNTY TRANSPORTATION  
COMMISSIONS' DEADLINE FOR SUBMISSIONS TO MARCH 1, 2016.  
AYES: ANTONOVICH, ROYBAL SALTARELLI, MCALLESTER,  
WINTERBOTTOM, RUSH, MCCALLON.  
NOES: NONE.

**ACTION:** Staff will modify the Invitation to Negotiate to extend the deadline to March 1, 2016.

### **OTHER BUSINESS**

#### **Agenda Item #11 – Other Business**

- Cynthia Ravenstein, MSRC Contracts Administrator, indicated that it looks like there are sufficient items to merit a meeting in December. Staff will follow up to check the Members' availability to ensure a quorum. There are some items that have some urgency to them.

### **ADJOURNMENT**

THERE BEING NO FURTHER BUSINESS, THE MSRC MEETING  
ADJOURNED AT 2:30 P.M.

### **NEXT MEETING:**

Thursday, December 17, 2015, at 2 p.m., Room CC-8.

[Prepared by Ana Ponce]



**MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE**  
**THURSDAY, DECEMBER 17, 2015 MEETING MINUTES**  
21865 Copley Drive, Diamond, Bar, CA 91765- Conference Room CC-8

**MEMBERS PRESENT:**

(Chair) Greg Pettis, representing RCTC  
(Vice Chair) Larry McCallon, representing SANBAG  
Michael Antonovich, representing SCAQMD (via v/c)  
Ben Benoit (Alt.), representing SCAQMD  
Michele Martinez, representing SCAG  
Brad McAllester (Alt.), representing Los Angeles County MTA (via v/c)  
Greg Winterbottom, representing OCTA

**MEMBERS ABSENT:**

Dolores Roybal Saltarelli, representing Regional Rideshare Agency  
Steve Veres, representing LA County MTA  
Erik White, representing California Air Resources Board

**MSRC-TAC MEMBERS PRESENT:**

Rongsheng Luo (Alt.), representing Southern California Association of Governments  
Kelly Lynn, representing San Bernardino Associated Governments  
Dean Saito, representing SCAQMD

**OTHERS PRESENT:**

Lauren Dunlap, CFCI  
Daniel Elliott, Transit Systems Unlimited  
Earl Elrod, SCAQMD Board Asst (Yates)  
Michael Oliver, Los Angeles Philharmonic  
Ric Teano, OCTA

**SCAQMD STAFF & CONTRACTORS**

Ray Gorski, MSRC Technical Advisor-Contractor  
Henry Hogo, Asst. DEO/Science & Technology Advancement  
John Kampa, Financial Analyst  
Matt MacKenzie, MSRC Contracts Assistant  
Ana Ponce, MSRC Administrative Liaison  
Cynthia Ravenstein, MSRC Contracts Administrator  
Veera Tyagi, Senior Deputy District Counsel  
Rachel Valenzuela, MSRC Contracts Assistant  
Paul Wright, Audio-Visual Specialist



**CALL TO ORDER**

- Call to Order

MSRC Chair Greg Pettis called the meeting to order at 2 p.m.

- Opening Comments

MSRC Vice Chair Larry McCallon disclosed that for item #10, although he does not have a financial interest, he noted for the record, that he is a Board Member for Southern California Regional Rail Authority, which is involved in the item. He also disclosed that for Item #11, although he does not have a financial interest, he noted for the record, that he is a Board Member with San Bernardino Associated Governments, which is involved in the item.

MSRC Member Greg Winterbottom disclosed that for item #10, although he does not have a financial interest, he noted for the record, that he is a Board Member for Southern California Regional Rail Authority, which is involved in the item.

MSRC Alternate Brad McAllester disclosed that for Item #2, although he does not have a financial interest, he noted for the record, that he is a staff member with the Los Angeles County Metropolitan Transportation Authority, which is involved in the item.

MSRC Member Michael Antonovich disclosed that for Items #2, although he does not have a financial interest, he noted for the record, that he is a Director of the Los Angeles County Metropolitan Transportation Authority, which is involved in the item. He also disclosed that for Item #10, although he does not have a financial interest, he noted for the record, that he is a Director of Metrolink, which is involved in the item.

**PUBLIC COMMENT PERIOD**

- Public comments were allowed during the discussion of each agenda item. No comments were made on non-agenda items.

**CONSENT CALENDAR (Items 1 through 8)****Receive and Approve Items****Agenda Item #1 – Minutes of the September 17, 2015 MSRC Meeting**

The MSRC minutes of the September 17, 2015 meeting were not yet available, and therefore were postponed to the next meeting.

**Agenda Item #2 – Summary of Final Reports by MSRC Contractors**

The MSRC received and unanimously approved four final report summaries this month as follows:

1. Transit Systems Unlimited, Contract #MS14005, which provided \$515,000 for expanded shuttle service to Hollywood Bowl;
2. City of Los Angeles, Bureau of Sanitation, Contract #MS07080, which provided \$63,192 to demonstrate retrofit devices on three off-road vehicles;

3. Special Olympics World Games, Contract #MS16003, which provided \$380,536 for low-emission transportation for LA2015; and
4. LA County MTA, Contract #MS12087, which provided \$125,000 to implement a rideshare incentives program.

ON MOTION BY MSRC VICE CHAIR LARRY MCCALLON, AND  
SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER  
APPROVAL OF CONSENT CALENDAR ITEMS 2 THROUGH 8, THE MSRC  
UNANIMOUSLY VOTED TO APPROVE THE FINAL REPORTS ABOVE.  
AYES: ANTONOVICH, MCALLESTER, WINTERBOTTOM, MCCALLON,  
PETTIS.  
NOES: NONE.

**ACTION:** MSRC staff will file the final reports and release any retention on the contracts.

### **Receive and File Items**

#### **Agenda Item #3 – MSRC Contracts Administrator’s Report**

The MSRC AB 2766 Contracts Administrator’s Report for October 29 through December 2, 2015 was included in the agenda package.

ON MOTION BY MSRC VICE CHAIR LARRY MCCALLON, AND  
SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER  
APPROVAL OF CONSENT CALENDAR ITEMS 2 THROUGH 8, THE MSRC  
UNANIMOUSLY VOTED TO APPROVE RECEIVE AND FILE THE  
CONTRACTS ADMINISTRATOR’S REPORT FOR OCTOBER 29  
THROUGH DECEMBER 2, 2015.  
AYES: ANTONOVICH, MCALLESTER, WINTERBOTTOM, MCCALLON,  
PETTIS.  
NOES: NONE.

**ACTION:** SCAQMD staff will include the MSRC Contracts Administrator’s Report in the MSRC Committee Report for the January 8, 2016 SCAQMD Board meeting.

#### **Agenda Item #4 – Financial Report on AB 2766 Discretionary Fund**

A financial report on the AB 2766 Discretionary Fund for the period ending November 30, 2015 was included in the agenda package.

ON MOTION BY MSRC VICE CHAIR LARRY MCCALLON, AND  
SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER  
APPROVAL OF CONSENT CALENDAR ITEMS 2 THROUGH 8, THE MSRC  
UNANIMOUSLY VOTED TO RECEIVE AND FILE THE FINANCIAL  
REPORT FOR THE PERIOD ENDING NOVEMBER 30, 2015.  
AYES: ANTONOVICH, MCALLESTER, WINTERBOTTOM, MCCALLON,  
PETTIS.  
NOES: NONE.

**ACTION:** No further action is required.

**For Approval – As Recommended****Agenda Item #5 – Consider 15-Month Term Extension by County of Los Angeles, Contract #ML14030 (\$425,000 – Bicycle Infrastructure and Education)**

The County requests a 15-month no-cost term extension due to unanticipated delays in the procurement process. The MSRC-TAC unanimously recommended approval.

ON MOTION BY MSRC VICE CHAIR LARRY MCCALLON, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 2 THROUGH 8, THE MSRC UNANIMOUSLY VOTED TO GRANT THE COUNTY OF LOS ANGELES, CONTRACT #ml14030, A 15-MONTH NO-COST TERM EXTENSION, AS PART OF THE FYS 2012-14 LOCAL GOVERNMENT MATCH PROGRAM. AYES: ANTONOVICH, MCALLESTER, WINTERBOTTOM, MCCALLON, PETTIS.  
NOES: NONE.

**ACTION:** MSRC staff will amend the above contract accordingly.

**Agenda Item #6 Consider 16-Month Term Extension by Bonita Unified School District, Contract #MS12008 (\$17,000 – Install New Limited Access CNG Station)**

The School District requests a 16-month no-cost term extension due to delays in receipt of utility approvals. The FY 2011-12 Alternative Fuel Infrastructure Program did not authorize extensions beyond one year. The MSRC-TAC unanimously recommended approval of a 16-month term extension.

ON MOTION BY MSRC VICE CHAIR LARRY MCCALLON, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 2 THROUGH 8, THE MSRC UNANIMOUSLY VOTED TO GRANT A 16-MONTH NO-COST TERM EXTENSION TO BONITA UNIFIED SCHOOL DISTRICT, CONTRACT #MS12008, AS PART OF THE FY 2011-12 ALTERNATIVE FUEL INFRASTRUCTURE PROGRAM. AYES: ANTONOVICH, MCALLESTER, WINTERBOTTOM, MCCALLON, PETTIS.  
NOES: NONE.

**ACTION:** MSRC Staff will amend the above contract accordingly.

**Agenda Item #7 – Consider 9-Month Term Extension by Southern California Gas Company, Contract #MS12011 (\$150,000 – Install New Public Access CNG Station)**

SoCalGas requests a 9-month no-cost term extension due to a longer than anticipated permitting process. MSRC approval is required because the FY 2011-12 Alternative Fuel Infrastructure Program did not authorize extensions beyond one year, and SoCalGas has previously received a 12-month extension. The MSRC-TAC unanimously recommended approval of a 9-month term extension.

ON MOTION BY MSRC VICE CHAIR LARRY MCCALLON, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 2 THROUGH 8, THE MSRC UNANIMOUSLY VOTED TO GRANT SOUTHERN CALIFORNIA GAS COMPANY, CONTRACT #MS12011, A 9-MONTH NO-COST TERM EXTENSION, AS PART OF THE FY 2011-12 ALTERNATIVE FUEL INFRASTRUCTURE PROGRAM.

AYES: ANTONOVICH, MCALLESTER, WINTERBOTTOM, MCCALLON, PETTIS.

NOES: NONE.

**ACTION:** MSRC Staff will amend the above contract accordingly.

**Agenda Item #8 – Consider Reduced Scope and Value and 12-Month Term Extension by City of Bellflower, Contract #ML12051 (\$270,000 – Install Electric Vehicle Charging Infrastructure)**

The City indicates that transfer of the project between departments delayed progress. Additionally, due to limited time and staffing, the City requests to reduce the number of stations to be installed from 15 to 8, with a corresponding reduction in contract value from \$270,000 to \$170,000. The MSRC-TAC unanimously recommended approval.

ON MOTION BY MSRC VICE CHAIR LARRY MCCALLON, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, UNDER APPROVAL OF CONSENT CALENDAR ITEMS 2 THROUGH 8, THE MSRC UNANIMOUSLY VOTED TO APPROVE THE CITY OF BELLFLOWER'S REQUEST TO REDUCE THE NUMBER OF STATIONS TO BE INSTALLED FROM 15 TO 8, WITH A CORRESPONDING REDUCTION IN CONTRACT VALUE FROM \$270,000 TO \$170,000, AS PART OF THE FY 2011-12 LOCAL GOVERNMENT MATCH PROGRAM.

AYES: ANTONOVICH, MCALLESTER, WINTERBOTTOM, MCCALLON, PETTIS.

NOES: NONE.

**ACTION:** Staff will include this item for consideration by the SCAQMD Board at its January 8, 2016 meeting.

**ACTION CALENDAR (Items 9 through 11)**  
**FYs 2014-16 WORK PROGRAM**

**Agenda Item #9 – Consider Funding for Application Received Under the Local Government Match Program**

Cynthia Ravenstein, MSRC Contracts Administrator, reported on this item on behalf of MSRC Vice Chair Tanya Love, Chair/Local Government Match Subcommittee. She indicated that the MSRC had previously considered a number of applications and awarded a total of almost \$15 million under this program. There was one application for which consideration was deferred while some additional information was sought. The City was able to get some updated cost estimates for the project to install an electric vehicle charging infrastructure and actually reduced their request. They had originally requested \$102,150. Now they are only requesting \$57,210. The MSRC-TAC reviewed this request and recommended approval of an award not to exceed \$57,210 to the City of El Monte. Because \$102,150 had been reserved, so the remaining \$44,940 would revert to the AB 2766 Discretionary Fund.

ON MOTION BY MSRC VICE CHAIR LARRY MCCALLON, AND SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, THE MSRC UNANIMOUSLY VOTED TO APPROVE AN AWARD OF \$57,210 TO THE CITY OF EL MONTE, FOR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, AS PART OF THE FYS 2014-16 LOCAL GOVERNMENT MATCH PROGRAM.

AYES: ANTONOVICH, MCALLESTER, WINTERBOTTOM, MCCALLON, PETTIS.

NOES: NONE.

**ACTION:** Staff will include this contract award for consideration by the SCAQMD Board at its January 8, 2016 meeting.

**Agenda Item #10 – Consider Funding for Proposals Received Under the Major Event Center Transportation Program**

MSRC-TAC Member Kelly Lynn, Chair/TCM Subcommittee, reported that the Subcommittee received three additional proposals under the Major Event Center Transportation Program: two of them by Transit Systems Unlimited and the other one by the Auto Club Speedway in partnership with SCRRA.

The first one is a proposal that would go between the Union Station and the Hollywood Bowl. Those services would be for the 2016-2017 Season and it would cover the 70 Hollywood Bowl events. They are requesting \$565,600. It would be an hour-round trip. It was reviewed by both the TCM Subcommittee and the MSRC-TAC, and they recommended approval.

MSRC Chair Greg Pettis asked how this item fits into the geographic minimum County share, if the MSRC is already doing it at Dodger Stadium. Ray Gorski, MSRC Technical Advisor, noted that said looking at the matrix of the overall program, when you take into account the geographic funding minimums, and the other conditions which have amounts that can be allocated to any single venue, this does meet all the requirements as stipulated in the Program Announcement, so there is no additional action or allocation of moneys that would be necessary. Chair Pettis asked how Hollywood Bowl was doing their promotion and advertising.

[MSRC Member Michelle Martinez arrived at the meeting at 2:07 p.m.]

**PUBLIC COMMENT:** Mike Oliver, with the Los Angeles Philharmonic and Hollywood Bowl, commented that they do their season brochures, a big pamphlet, and a “baby” book. They also advertise it in their “Subscriber Rides” that they send out prior to the start of the season. They continue the promotions with various partnerships through the lots that they operate their park and ride and shuttle programs out of. Also, online, they have their website that has their full calendar listing all of their locations. They do quite a bit of advertising throughout the year; continuing to do pamphlets. They also do a “know before you go” pamphlet just about park and ride and shuttle, so all their patrons know prior to the season, and during the season, that they can take the bus from various locations. It lists the departure times and schedules. MSRC will be included in this.

MSRC Chair Greg Pettis commented that Metrolink runs a later train for the Dodgers to get back to San Bernardino. Will that same sort of situation occur here? Mr. Gorski replied that he cannot speak for the Hollywood Bowl, but looking at the number of events that the Hollywood Bowl hosts, it is approximately 70 events. They have different start and end times. If there is any potential connectivity between the train that runs to the Inland Empire.

PUBLIC COMMENT: Mike Oliver stated that most of their events generally end by 10:30 p.m. Curfew is 11 p.m., so they have to be done by 11 p.m. By the time they wrap up everything, all the buses are gone, it's roughly about 45 minutes. By then they are completely done with cars and buses. MSRC Vice Chair Larry McCallon commented that there is no 11 p.m. train.

Next is another submittal by Transit Systems Unlimited (TSU). It is a proposal to increase the frequency of service at four lot locations. They were requesting \$536,000 to increase the frequency from 10 minutes to 5 minutes at three of the lots; and to increase the frequency by 10 minutes at one of the lots. The MSRC funded a similar project in 2013-14 and as part of that contract, TSU had to collect certain information. The TCM Subcommittee asked MSRC staff to look at that data to see if there was indeed an increase in ridership, because that was the whole idea of increasing the frequency. Initially it appeared that ridership was increased by 16 percent, but after MSRC staff looked at the data more closely, it was noted that there were more events in 2014 than 2013. So, when the data was actually normalized, the increase in ridership associated with the increase in frequency was actually only two percent. In 2015 the ridership actually decreased, but TSU attributes this to a decrease in advertising and promotion, and they plan to rectify that. Therefore, the TCM Subcommittee and the MSRC-TAC is not recommending this particular proposal for approval because it would be not only the \$536,000 from MSRC but also that would have to be matched by at least 50 percent, by the vendor. It didn't seem like a good use of over \$1 million to increase frequency and get a less than 2 percent increase in ridership.

MSRC Member Greg Winterbottom asked if TSU was going to increase their advertising since their ridership is based more on their advertising than anything else. Ms. Lynn indicated that that would be the recommendation since the advertising is the driving force.

PUBLIC COMMENT: Daniel Elliott of TSU noted that they do plan on increasing the advertising for this particular event and service. They will work closely with the Hollywood Bowl, as mentioned previously. They definitely believe that pushing the advertising will increase the ridership. They are going to do advertising on the web and brochures pushing the added service.

MSRC Member Greg Winterbottom said it would be wise to invest the money in the advertising rather than any more service.

MSRC Member Michelle Martinez asked whom they are trying to target, the general public, or are we specifically just trying to increase ridership? Mr. Gorski replied that there are two facets to the original project which was submitted by TSU for the Hollywood Bowl. The first was by increasing the frequency, to see if there was some type of corresponding increase in overall ridership. Secondly, however, there was a specific intent to ascertain whether or not there could be an increase in multimodal access to the Hollywood Bowl, meaning that people would utilize public transportation, both rail and bus, such that they would eliminate the majority of their automobile trip. Based on an assessment by the MSRC and its staff of the data presented, there was no statistically appreciable increase in transit utilization meaning that it could not be directly correlated to an increase in rail ridership or transit bus ridership. The vast majority of the folks that accessed the pickup points for the shuttle service were multi-occupants of personal automobiles.

MSRC Member Michele Martinez asked if the shuttle service alleviates traffic in the surrounding neighborhood community where the Hollywood Bowl is located. Is that one of the intents? Mr. Gorski said absolutely, and that is covered by the existing service. He complimented TSU in partnership with the Hollywood Bowl because when they were asked to provide the detailed data,

they were very forthcoming in providing it to MSRC staff. We think it is to the mutual benefit of both parties that the increased frequency not be continued because for the amount of money invested, they couldn't see any change, meaning there is no detrimental effect, but there is no benefit.

Ms. Lynn indicated that the third proposal is for a dedicated train service being proposed for the upcoming NASCAR Sprint Cup Series at the Auto Club Speedway in San Bernardino County. They are proposing dedicated trains originating out of Oceanside, Oxnard, and Lancaster that would then come to the platform area there at the Auto Club Speedway. Trams would be there to meet the passengers to take them to and from the Speedway location. The train would wait there for the patrons until after the event to take them home. This is an event that has more than 100,000 people. They are requesting \$78,033. Staff has talked to SCRRA numerous times. They are saying that they will use Tier 2 trains. This is the only event under this category, and the only submittal for San Bernardino County.

Ray Gorski, MSRC Technical Advisor, indicated that this year there is only one major Speedway event at the Auto Club Speedway, so if anyone in Southern California and beyond is going to go, this is going to be their one opportunity.

MSRC Chair Greg Pettis reviewed the recommendations, which are 1) to approve \$565,000 to TSU for the Hollywood Bowl; 2) to disapprove \$565,600 to TSU for increased frequency; and then 3) to approve \$78,033 for Metrolink for the Auto Club Speedway.

ON MOTION BY MSRC MEMBER MICHELE MARTINEZ, AND  
SECONDED BY MSRC MEMBER GREG WINTERBOTTOM, THE MSRC  
UNANIMOUSLY VOTED TO APPROVE \$565,600 TO TRANSIT SYSTEMS  
UNLIMITED FOR THE HOLLYWOOD BOWL; TO IMPLEMENT SHUTTLE  
SERVICE BETWEEN UNION STATION AND THE HOLLYWOOD BOWL;  
DISAPPROVE \$565,600 TO TRANSIT SYSTEMS UNLIMITED TO  
INCREASE FREQUENCY; AND TO APPROVE \$78,033 FOR METROLINK  
TO IMPLEMENT DEDICATED RAIL SERVICE TO THE AUTO CLUB  
SPEEDWAY, AS PART OF THE FYS 2014-16 EVENT CENTER  
TRANSPORTATION PROGRAM.

AYES: ANTONOVICH, MARTINEZ, MCALLESTER, WINTERBOTTOM,  
MCCALLON, PETTIS.

NOES: NONE.

#### **Agenda Item #11 – Consider Work Plan Received Under the Transportation Control Measure CTC Partnership Program**

Ray Gorski, MSRC Technical Advisor, on behalf of the TCM Subcommittee, reported that an element of the MSRC's Work Program was to set aside a total of \$10 million and allocate \$2.5 million to each of the four County Transportation Commissions (CTCs) to implement projects which were unique to their area that would help in Transportation Control Measure Implementation and Transportation Demand Management Strategies. An Invitation to Negotiate (ITN) was provided to each of the four CTCs and it listed a broad spectrum of the types of projects that the MSRC would entertain. To encourage innovation and creativity, projects were not limited to those specifically called out. A partial application was received from San Bernardino Associated Governments. They are seeking \$800,625 to implement a Freeway Service Patrol (FSP) on a new beat within the San Bernardino area. This would be along the SR-210, which as included in their application, is probably the neediest area within the San Bernardino freeway system which does not currently have FSP. This would be a five-year

demonstration of FSP on this beat. They are putting in substantial co-funding for both operations and hardware sources. There is additional hardware that they will be purchasing and outfit their FSP vehicles. Mr. Gorski noted that FSP was specifically called out in the ITN as an eligible category.

MSRC Chair Greg Pettis asked if the MSRC is transferring out all that money at one time, or on an annual basis. Mr. Gorski said it would be at the Committee's preference. Staff usually sits down prior to the execution of the contract with the project proponent to see what their expectations and needs are. Many of the MSRC contracts are reimbursed, which means they do not get paid until the end of the contract. For something this long, however, the MSRC may want to allow staff to implement progress payments. Veera Tyagi, Senior Deputy District Counsel, said we could not just issue a check without having deliverables. Mr. Gorski said we would not pay them up front under most circumstances. MSRC Member Greg Winterbottom asked if anything special has to be done to do that. Ms. Tyagi said no, the contract just has milestones for which they need to submit invoices. Mr. Winterbottom asked if that would be on an annual basis. Ms. Tyagi said whatever would make sense.

Mr. Gorski said that regular reporting is negotiated on a contract by contract basis to provide data which justifies release of the payment. If they fail to submit a progress report per the contract, then they are for all intents and purposes in breach of contract and staff cannot release a payment until they can cure that breach. They do provide quantitative data and they also provide, based upon the work that UC Berkeley does, the actual cost of that beat as it is being analyzed by a third party.

ON MOTION BY MSRC MEMBER MICHELE MARTINEZ, AND  
SECONDED BY MSRC VICE CHAIR LARRY MCCALLON, THE MSRC  
UNANIMOUSLY VOTED TO APPROVE AN AWARD OF \$800,625 FROM  
THEIR \$2.5 MILLION ALLOCATION, TO SAN BERNARDINO  
ASSOCIATED GOVERNMENTS TO IMPLEMENT A NEW FREEWAY  
SERVICE PATROL BEAT FOR THE SR-210 FREEWAY CORRIDOR.  
AYES: ANTONOVICH, MARTINEZ, MCALLESTER, WINTERBOTTOM,  
MCCALLON, PETTIS.  
NOES: NONE.

### **OTHER BUSINESS**

#### **Agenda Item #12 – Other Business**

No other business was introduced.

### **ADJOURNMENT**

THERE BEING NO FURTHER BUSINESS, THE MSRC MEETING  
ADJOURNED AT 2:30 P.M.

### **NEXT MEETING:**

Thursday, January 21, 2016, at 2 p.m., Room CC-8.





### MSRC Agenda Item No. 3

**DATE:** March 17, 2016

**FROM:** Cynthia Ravenstein

**SUBJECT:** AB 2766 Contracts Administrator's Report

**SYNOPSIS:** This report covers key issues addressed by MSRC staff, status of open contracts, and administrative scope changes from January 28 to February 24, 2016.

**RECOMMENDATION:** Receive and file report

**WORK PROGRAM IMPACT:** None

#### **Contract Execution Status**

##### **2014-16 Work Program**

On December 5, 2014, the SCAQMD Governing Board approved an award under the AB118 Enhanced Fleet Maintenance Program. This contract is executed.

On June 5, 2015, the SCAQMD Governing Board approved two awards under the Event Center Transportation Program and one award to provide low-emission transportation services to the Special Olympics World Games. These contracts are with the prospective contractor for signature or executed.

On September 4, 2015, the SCAQMD Governing Board approved 25 awards under the Local Government Match Program and one award under the Transportation Control Measure Partnership Program. These contracts are under development, undergoing internal review, with the prospective contractor for signature, with the SCAQMD Board Chair for signature, or executed.

On October 2, 2015, the SCAQMD Governing Board approved 11 awards under the Local Government Match Program and one award under the Alternative Fuel Infrastructure Program. These contracts are under development, with the prospective contractor for signature, or executed.

On November 6, 2015, the SCAQMD Governing Board approved 37 awards under the Local Government Match Program. These contracts are under development, undergoing internal review, with the prospective contractor for signature, or executed.

On December 4, 2015, the SCAQMD Governing Board approved one award under the Major Event Center Transportation Program, one award under the Alternative Fuel Infrastructure Program, and one award under the Transportation Control Measure Partnership Program. These contracts are under development or with the SCAQMD Board Chair for signature.

On January 8, 2016, the SCAQMD Governing Board approved two awards under the Major Event Center Transportation Program, one award under the Local Government Match Program, and one award under the Transportation Control Measure Partnership Program. These contracts are under development or with the prospective contractor for signature.

**2012-14 Work Program**

On April 5, 2013, the SCAQMD Governing Board approved three awards under the Event Center Transportation Program. These contracts are executed.

On July 5, 2013, the SCAQMD Governing Board approved an additional award to Orange County Transportation Authority under the Event Center Transportation Program. This contract is executed.

On September 6, 2013, the SCAQMD Governing Board approved an award to Transit Systems Unlimited under the Event Center Transportation Program. This contract is executed.

On November 1, 2013, the SCAQMD Governing Board approved two awards under the Event Center Transportation Program. These contracts are executed.

On December 6, 2013, the SCAQMD Governing Board approved 25 awards under the Local Government Match Program, 12 awards under the Alternative Fuel Infrastructure Program, one award under the Alternative Fuel School Bus Incentives Program, and one award under the Event Center Transportation Program. These contracts are with the prospective contractor for signature or executed.

On January 10, 2014, the SCAQMD Governing Board approved three awards under the Local Government Match Program, one award under the Alternative Fuel Infrastructure Program, and one award under the Alternative Fuel School Bus Incentives Program. These contracts are executed.

On February 7, 2014, the SCAQMD Governing Board approved two awards under the Local Government Match Program and one award under the Alternative Fuel Infrastructure Program. These contracts are executed.

On April 4, 2014, the SCAQMD Governing Board approved two awards under the Local Government Match Program and three awards under the Traffic Signal Synchronization Partnership Program. These contracts are executed.

On May 2, 2014, the SCAQMD Governing Board approved 12 awards under the Local Government Match Program. These contracts are awaiting responses from the prospective contractor, with the prospective contractor for signature, or executed.

On June 6, 2014, the SCAQMD Governing Board approved an award under the Traffic Signal Synchronization Partnership Program. This contract is executed.

On July 11, 2014, the SCAQMD Governing Board approved an award under the Traffic Signal Synchronization Partnership Program. This contract is executed.

On September 5, 2014, the SCAQMD Governing Board approved an award under the Event Center Transportation Program. This contract is executed.

On October 3, 2014, the SCAQMD Governing Board approved an award under the Alternative Fuel Infrastructure Program. This contract is executed.

On December 5, 2014, the SCAQMD Governing Board approved 12 awards under the Alternative Fuel Infrastructure Program and two awards under the Event Center Transportation Program. These contracts are awaiting responses from the prospective contractor, with the prospective contractor for signature, or executed.

On February 6, 2015, the SCAQMD Governing Board approved 3 awards under the Alternative Fuel Infrastructure Program. These contracts are awaiting responses from the prospective contractor or executed.

#### **Work Program Status**

Contract Status Reports for work program years with open (including “Open/Complete”) and/or pending contracts are attached. MSRC or MSRC-TAC members may request spreadsheets covering any other work program year.

#### ***FY 2004-05 Work Program Contracts***

One contract from this work program year is open.

#### ***FY 2004-05 Invoices Paid***

No invoices were paid during this period.

#### ***FY 2005-06 Work Program Contracts***

No contracts from this work program year are open; and 3 are in “Open/Complete” status, having completed all obligations save ongoing operation.

#### ***FY 2005-06 Work Program Invoices Paid***

No invoices were paid during this period.

#### ***FY 2006-07 Work Program Contracts***

2 contracts from this work program year are open; and 9 are in “Open/Complete” status.

#### ***FY 2006-07 Invoices Paid***

No invoices were paid during this period.

#### ***FY 2007-08 Work Program Contracts***

7 contracts from this work program year are open; and 17 are in “Open/Complete” status. 2 contracts closed during this period: City of Ontario, Contract #ML08042 – Purchase 7 Heavy-Duty Natural Gas Vehicles; and Burrtec Waste Industries, Contract #MS08006 – Purchase 15 Heavy-Duty Natural Gas Vehicles (Saugus); and Sunline Transit Agency, Contract #MS08078 – CNG Station Upgrade.

*FY 2007-08 Invoices Paid*

No invoices were paid during this period.

***FY 2008-09 Work Program Contracts***

3 contracts from this work program year are open; and 15 are in “Open/Complete” status. One contract closed during this period: City of Palm Springs, Contract #ML09010 – Purchase One Heavy-Duty Natural Gas Vehicle.

*FY 2008-09 Invoices Paid*

One invoice in the amount of \$272,924.53 was paid during this period.

***FY 2010-11 Work Program Contracts***

15 contracts from this work program year are open; and 33 are in “Open/Complete” status. 3 contracts closed during this period: City of Los Angeles, Contract #MS11027 – Maintenance Facility Modifications; The Better World Group, Contract #MS11056 – Programmatic Outreach Services; and Metropolitan Stevedore, Contract #MS11081 – Showcase II Offroad Retrofit Program.

*FY 2010-11 Invoices Paid*

2 invoices totaling \$332,885.00 were paid during this period.

***FY 2011-12 Work Program Contracts***

33 contracts from this work program year are open, and 23 are in “Open/Complete” status. 3 contracts closed during this period: Penske Truck Leasing, Contract #MS12078 – Maintenance Facility Modifications (Vernon); Penske Truck Leasing, Contract #MS12079 – Maintenance Facility Modifications (Boyle Heights); and Los Angeles County MTA, Contract #MS12001 – Clean Fuel Transit Service to Dodger Stadium.

*FY 2011-12 Invoices Paid*

5 invoices totaling \$537,959.57 were paid during this period.

***FYs 2012-14 Work Program Contracts***

56 contracts from this work program year are open, and 4 are in “Open/Complete” status. For Contract #ML14013, which is still pending execution, the City of Los Angeles requested a reduction in scope and value due to unavailability of AB 2766 Subvention Funds. The proposed contract has been revised and re-sent to the prospective contractor, with \$3,400,000 reverted to the AB 2766 Discretionary Fund.

*FYs 2012-14 Invoices Paid*

2 invoices totaling \$301,857.60 were paid during this period.

***FYs 2014-16 Work Program Contracts***

15 contracts from this work program year are open.

*FYs 2014-16 Invoices Paid*

2 invoices totaling \$135,300.00 were paid during this period.

***Administrative Scope Changes***

One administrative scope change was initiated during the period of January 28 to February 24, 2016:

- CR&R Inc., Contract #MS12075, Expand CNG Station – One-year no-cost term extension

**Attachments**

- FY 2004-05 through FYs 2014-16 (except FY 2009-10) Contract Status Reports



## AB2766 Discretionary Fund Program Invoices

January 28, 2016 to February 24, 2016

Contract Admin.	MSRC Chair	MSRC Liaison	Finance	Contract #	Contractor	Invoice #	Amount
<i>2008-2009 Work Program</i>							
2/12/2016	2/18/2016	2/18/2016	2/19/2016	ML09047	Los Angeles County Department of Public Work	I60000297 F	\$272,924.53
<b>Total: \$272,924.53</b>							
<i>2010-2011 Work Program</i>							
2/5/2016	2/5/2016	2/5/2016	2/9/2016	MS11086	DCL America Inc.	1000007787z	\$32,885.00
2/5/2016	2/5/2016	2/5/2016	2/9/2016	ML11027	City of Los Angeles, Dept. of General Services	01-Final	\$300,000.00
<b>Total: \$332,885.00</b>							
<i>2011-2012 Work Program</i>							
2/23/2016				MS12031	Final Assembly, Inc.	2-Final	\$3,244.60
2/5/2016	2/5/2016	2/5/2016	2/9/2016	MS12001	Los Angeles County MTA	1-Final	\$211,170.00
2/5/2016	2/5/2016	2/5/2016	2/9/2016	MS12060	City of Santa Monica	2	\$308,734.27
2/4/2016	2/5/2016	2/5/2016	2/9/2016	MS12081	Penske Truck Leasing Co., L.P.	Final	\$7,500.00
2/4/2016	2/5/2016	2/5/2016	2/9/2016	MS12078	Penske Truck Leasing Co., L.P.	Final	\$7,310.70
<b>Total: \$537,959.57</b>							
<i>2012-2014 Work Program</i>							
2/23/2016				MS14074	Midway City Sanitary District	Final	\$25,000.00
2/17/2016	2/18/2016	2/18/2016	2/19/2016	MS14081	CR&R Incorporated	1	\$90,000.00
2/4/2016	2/5/2016	2/5/2016	2/9/2016	MS14090	City of Monterey Park	1	\$186,857.60
<b>Total: \$301,857.60</b>							
<i>2014-2016 Work Program</i>							
2/23/2016				MS16081	EDCO Disposal Corporation	1	\$135,000.00
2/2/2016	2/5/2016	2/5/2016	2/9/2016	MS16004	Mineral LLC	101324	\$300.00
<b>Total: \$135,300.00</b>							

**Total This Period: \$1,580,926.70**

## FYs 2004-05 Through 2014-16 AB2766 Contract Status Report

3/10/2016

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>FY 2004-2005 Contracts</b>									
<b>Open Contracts</b>									
ML05014	Los Angeles County Department of P	5/21/2007	11/20/2008	3/20/2016	\$204,221.00	\$0.00	Traffic Signal Synchronization	\$204,221.00	No
<b>Total: 1</b>									
<b>Declined/Cancelled Contracts</b>									
ML05005	City of Highland				\$20,000.00	\$0.00	2 Medium Duty CNG Vehicles	\$20,000.00	No
ML05008	Los Angeles County Department of P				\$140,000.00	\$0.00	7 Heavy Duty LPG Street Sweepers	\$140,000.00	No
ML05010	Los Angeles County Department of P				\$20,000.00	\$0.00	1 Heavy Duty CNG Bus	\$20,000.00	No
MS05030	City of Inglewood				\$31,662.00	\$0.00	2 CNG Street Sweepers	\$31,662.00	No
MS05032	H&C Disposal				\$34,068.00	\$0.00	2 CNG Waste Haulers	\$34,068.00	No
MS05044	City of Colton				\$78,720.00	\$0.00	CNG Station Upgrade	\$78,720.00	No
<b>Total: 6</b>									
<b>Closed Contracts</b>									
ML05006	City of Colton Public Works	7/27/2005	7/26/2006		\$30,000.00	\$30,000.00	3 Medium Duty CNG Vehicles	\$0.00	Yes
ML05011	Los Angeles County Department of P	8/10/2006	12/9/2007	6/9/2008	\$52,409.00	\$51,048.46	3 Heavy Duty LPG Shuttle Vans	\$1,360.54	Yes
ML05013	Los Angeles County Department of P	1/5/2007	7/4/2008	1/4/2013	\$313,000.00	\$313,000.00	Traffic Signal Synchronization	\$0.00	Yes
ML05015	City of Lawndale	7/27/2005	7/26/2006		\$10,000.00	\$10,000.00	1 Medium Duty CNG Vehicle	\$0.00	Yes
ML05016	City of Santa Monica	9/23/2005	9/22/2006	9/22/2007	\$350,000.00	\$350,000.00	6 MD CNG Vehicles, 1 LPG Sweep, 13 CNG	\$0.00	Yes
ML05017	City of Signal Hill	1/16/2006	7/15/2007		\$126,000.00	\$126,000.00	Traffic Signal Synchronization	\$0.00	Yes
ML05018	City of San Bernardino	4/19/2005	4/18/2006		\$40,000.00	\$40,000.00	4 M.D. CNG Vehicles	\$0.00	Yes
ML05019	City of Lakewood	5/6/2005	5/5/2006		\$10,000.00	\$10,000.00	1 M.D. CNG Vehicle	\$0.00	Yes
ML05020	City of Pomona	6/24/2005	6/23/2006		\$10,000.00	\$10,000.00	1 M.D. CNG Vehicle	\$0.00	Yes
ML05021	City of Whittier	7/7/2005	7/6/2006	4/6/2008	\$100,000.00	\$80,000.00	Sweeper, Aerial Truck, & 3 Refuse Trucks	\$20,000.00	Yes
ML05022	City of Claremont	9/23/2005	9/22/2006		\$20,000.00	\$20,000.00	2 M.D. CNG Vehicles	\$0.00	Yes
ML05024	City of Cerritos	4/18/2005	3/17/2006		\$10,000.00	\$10,000.00	1 M.D. CNG Vehicle	\$0.00	Yes
ML05025	City of Malibu	5/6/2005	3/5/2006		\$10,000.00	\$10,000.00	1 Medium-Duty CNG Vehicle	\$0.00	Yes
ML05026	City of Inglewood	1/6/2006	1/5/2007	2/5/2009	\$60,000.00	\$60,000.00	2 CNG Transit Buses, 1 CNG Pothole Patch	\$0.00	Yes
ML05027	City of Beaumont	2/23/2006	4/22/2007	6/22/2010	\$20,000.00	\$20,000.00	1 H.D. CNG Bus	\$0.00	Yes
ML05028	City of Anaheim	9/8/2006	9/7/2007	5/7/2008	\$85,331.00	\$85,331.00	Traffic signal coordination & synchronization	\$0.00	Yes
ML05029	Los Angeles World Airports	5/5/2006	9/4/2007		\$140,000.00	\$140,000.00	Seven CNG Buses	\$0.00	Yes
ML05071	City of La Canada Flintridge	1/30/2009	1/29/2011		\$20,000.00	\$20,000.00	1 CNG Bus	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML05072	Los Angeles County Department of P	8/24/2009	5/23/2010	1/23/2011	\$349,000.00	\$349,000.00	Traffic Signal Synchronization (LADOT)	\$0.00	Yes
MS05001	A-Z Bus Sales, Inc.	2/4/2005	12/31/2005	12/31/2006	\$1,385,000.00	\$1,385,000.00	CNG School Bus Buydown	\$0.00	Yes
MS05002	California Bus Sales	2/4/2005	12/31/2005	12/31/2006	\$1,800,000.00	\$1,800,000.00	CNG School Bus Buydown	\$0.00	Yes
MS05003	BusWest	1/28/2005	12/31/2005	12/31/2006	\$2,100,000.00	\$1,620,000.00	CNG School Bus Buydown	\$480,000.00	Yes
MS05004	Johnson/Ukropina Creative Marketin	11/27/2004	1/18/2006	4/18/2006	\$1,000,000.00	\$994,612.56	Implement "Rideshare Thursday" Campaign	\$5,387.44	Yes
MS05031	City of Ontario, Housing & Municipal	7/22/2005	3/21/2007		\$191,268.00	\$191,268.00	11 CNG Waste Haulers	\$0.00	Yes
MS05033	Waste Management of the Desert	9/26/2005	5/25/2007		\$202,900.00	\$202,900.00	10 CNG Waste Haulers	\$0.00	Yes
MS05034	Sukut Equipment, Inc.	9/9/2005	5/8/2007		\$1,151,136.00	\$1,151,136.00	Repower 12 Scrapers	\$0.00	Yes
MS05035	Varner Construction Inc.	11/28/2005	4/27/2007	2/27/2008	\$334,624.00	\$334,624.00	Repower 5 Off-Road H.D. Vehicles	\$0.00	Yes
MS05036	Camarillo Engineering	8/18/2005	1/17/2007		\$1,167,276.00	\$1,167,276.00	Repower 12 Scrapers	\$0.00	Yes
MS05037	Road Builders, Inc.	11/21/2005	4/20/2007	6/20/2008	\$229,302.00	\$229,302.00	Repower 2 Scrapers	\$0.00	Yes
MS05038	SunLine Transit Agency	3/30/2006	9/29/2007		\$135,000.00	\$135,000.00	15 CNG Buses	\$0.00	Yes
MS05039	Los Angeles County MTA	4/28/2006	4/27/2008		\$405,000.00	\$405,000.00	75 CNG Buses	\$0.00	Yes
MS05040	Orange County Transportation Autho	3/23/2006	12/22/2007	6/22/2008	\$200,000.00	\$200,000.00	25 CNG Buses	\$0.00	Yes
MS05041	The Regents of the University of Cali	9/5/2006	8/4/2007	9/4/2008	\$15,921.00	\$15,921.00	CNG Station Upgrade	\$0.00	Yes
MS05042	City of Ontario, Housing & Municipal	11/21/2005	9/20/2006	7/20/2007	\$117,832.00	\$74,531.27	CNG Station Upgrade	\$43,300.73	Yes
MS05043	Whittier Union High School District	9/23/2005	7/22/2006		\$15,921.00	\$15,921.00	CNG Station Upgrade	\$0.00	Yes
MS05045	City of Covina	9/9/2005	7/8/2006		\$10,000.00	\$7,435.61	CNG Station Upgrade	\$2,564.39	Yes
MS05046	City of Inglewood	1/6/2006	5/5/2007		\$139,150.00	\$56,150.27	CNG Station Upgrade	\$82,999.73	Yes
MS05047	Orange County Transportation Autho	10/20/2005	10/19/2006	1/19/2007	\$75,563.00	\$75,563.00	CNG Station Upgrade	\$0.00	Yes
MS05048	City of Santa Monica	7/24/2006	11/23/2007		\$150,000.00	\$150,000.00	CNG Station Upgrade	\$0.00	Yes
MS05049	Omnitrans	9/23/2005	2/22/2007		\$25,000.00	\$7,250.00	CNG Station Upgrade	\$17,750.00	Yes
MS05050	Gateway Cities Council of Governme	12/21/2005	4/20/2010		\$1,464,839.00	\$1,464,838.12	Truck Fleet Modernization Program	\$0.88	Yes
MS05051	Jagur Tractor	1/16/2006	4/15/2007	10/15/2007	\$660,928.00	\$660,928.00	Repower 6 Scrapers	\$0.00	Yes
MS05052	Caufield Equipment, Inc.	8/3/2005	1/2/2007		\$478,000.00	\$478,000.00	Repower 4 Scrapers	\$0.00	Yes
MS05070	Haaland Internet Productions (HIP D	6/24/2005	5/31/2007	11/30/2011	\$100,715.00	\$92,458.24	Design, Host & Maintain MSRC Website	\$8,256.76	Yes

**Total: 44**

**Closed/Incomplete Contracts**

ML05007	Los Angeles County Dept of Beache	6/23/2006	6/22/2007	12/22/2007	\$50,000.00	\$0.00	5 Medium Duty CNG Vehicles	\$50,000.00	No
ML05009	Los Angeles County Department of P	6/22/2006	12/21/2007	9/30/2011	\$56,666.00	\$0.00	2 Propane Refueling Stations	\$56,666.00	No
ML05012	Los Angeles County Department of P	11/10/2006	5/9/2008	1/9/2009	\$349,000.00	\$0.00	Traffic Signal Synchronization (LADOT)	\$349,000.00	No
ML05023	City of La Canada Flintridge	3/30/2005	2/28/2006	8/28/2008	\$20,000.00	\$0.00	1 CNG Bus	\$20,000.00	No

**Total: 4**



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
--------	------------	------------	-------------------	------------------	----------------	----------	---------------------	---------------	-------------------

### **FY 2005-2006 Contracts**

#### **Declined/Cancelled Contracts**

ML06018	Los Angeles County Dept of Beache				\$375,000.00	\$0.00	New CNG Station & 2 CNG Dump Trucks	\$375,000.00	No
ML06019	Los Angeles County Dept of Beache				\$250,000.00	\$0.00	New CNG Station & 2 CNG Dump Trucks	\$250,000.00	No
ML06023	City of Baldwin Park	6/16/2006	9/15/2012		\$20,000.00	\$0.00	CNG Dump Truck	\$20,000.00	No
ML06024	City of Pomona	8/3/2007	7/2/2013	7/2/2014	\$286,450.00	\$0.00	New CNG Station	\$286,450.00	No
ML06030	City of Burbank	3/19/2007	9/18/2011		\$287,700.00	\$0.00	New CNG Fueling Station	\$287,700.00	No
ML06037	City of Lynwood				\$25,000.00	\$0.00	1 Nat Gas Dump Truck	\$25,000.00	No
ML06039	City of Inglewood	2/9/2007	2/8/2008	4/8/2011	\$50,000.00	\$0.00	Modify Maintenance Facility for CNG Vehicle	\$50,000.00	No
ML06055	City of Los Angeles, Dept. of Genera				\$125,000.00	\$0.00	5 Gas-Electric Hybrid Buses	\$125,000.00	No
ML06059	City of Fountain Valley				\$25,000.00	\$0.00	One H.D. CNG Truck	\$25,000.00	No
MS06009	Clean Energy Fuels Corp.	6/23/2006	12/22/2012		\$250,000.00	\$0.00	New CNG Station - Laguna Niguel	\$250,000.00	Yes
MS06040	Capistrano Unified School District				\$136,000.00	\$0.00	New CNG Fueling Station	\$136,000.00	No
MS06041	Clean Energy Fuels Corp.	12/1/2006	3/31/2013	6/18/2009	\$250,000.00	\$0.00	New CNG Station-Newport Beach	\$250,000.00	No
MS06046	City of Long Beach, Dept. of Public				\$250,000.00	\$0.00	LNG Fueling Station	\$250,000.00	No
MS06051	Menifee Union School District	3/2/2007	7/1/2014		\$150,000.00	\$0.00	CNG Fueling Station	\$150,000.00	No

**Total: 14**

#### **Closed Contracts**

ML06016	City of Whittier	5/25/2006	5/24/2012	11/24/2012	\$50,000.00	\$50,000.00	2 CNG Refuse Trucks	\$0.00	Yes
ML06017	City of Claremont	8/2/2006	4/1/2012		\$50,000.00	\$50,000.00	2 CNG Refuse Trucks	\$0.00	Yes
ML06020	Los Angeles Department of Water an	3/19/2007	9/18/2013	4/18/2014	\$25,000.00	\$25,000.00	CNG Aerial Truck	\$0.00	Yes
ML06021	Los Angeles World Airports	9/13/2006	5/12/2013		\$150,000.00	\$150,000.00	6 CNG Buses	\$0.00	Yes
ML06022	City of Los Angeles, Bureau of Sanit	5/4/2007	1/3/2014		\$1,250,000.00	\$1,250,000.00	50 LNG Refuse Trucks	\$0.00	Yes
ML06025	City of Santa Monica	1/5/2007	11/4/2012	12/14/2014	\$300,000.00	\$300,000.00	12 H.D. CNG Vehicles	\$0.00	Yes
ML06026	City of Cerritos	10/27/2006	9/26/2010		\$60,500.00	\$60,500.00	CNG Station Upgrade	\$0.00	Yes
ML06027	City of Redondo Beach	9/5/2006	5/4/2012	10/4/2012	\$50,000.00	\$50,000.00	2 Heavy-Duty CNG Trucks	\$0.00	Yes
ML06028	City of Pasadena	9/29/2006	11/28/2012	3/28/2014	\$245,000.00	\$245,000.00	New CNG Station & Maint. Fac. Upgrades	\$0.00	Yes
ML06029	City of Culver City Transportation De	9/29/2006	8/28/2012	12/28/2012	\$50,000.00	\$50,000.00	2 CNG Heavy-Duty Trucks	\$0.00	Yes
ML06031	City of Inglewood	4/4/2007	6/3/2013	9/3/2015	\$150,000.00	\$65,602.40	Purchase 4 H-D LPG Vehicles & Install LPG	\$84,397.60	Yes
ML06032	City of Rancho Cucamonga	2/13/2007	3/12/2013	2/12/2014	\$237,079.00	\$237,079.00	New CNG Station & 2 CNG Dump Trucks	\$0.00	Yes
ML06033	City of Cathedral City	11/17/2006	12/16/2012	12/16/2013	\$125,000.00	\$125,000.00	5 Heavy-Duty CNG Trucks	\$0.00	Yes
ML06034	City of South Pasadena	9/25/2006	9/24/2012		\$16,422.42	\$16,422.42	2 Nat. Gas Transit Buses	\$0.00	Yes
ML06036	City of Riverside	3/23/2007	3/22/2013		\$200,000.00	\$200,000.00	8 Heavy-Duty Nat Gas Vehicles	\$0.00	Yes
ML06038	City of Los Angeles, Department of	5/21/2007	1/20/2014		\$625,000.00	\$625,000.00	25 CNG Street Sweepers	\$0.00	Yes
ML06044	City of Pomona	12/15/2006	3/14/2013		\$50,000.00	\$50,000.00	2 CNG Street Sweepers	\$0.00	Yes
ML06052	City of Hemet, Public Works	4/20/2007	2/19/2013		\$25,000.00	\$25,000.00	Purchase One CNG Dump Truck	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML06053	City of Burbank	5/4/2007	7/3/2013		\$125,000.00	\$125,000.00	Five Nat. Gas Refuse Trucks	\$0.00	Yes
ML06056	City of Los Angeles, Dept. of Genera	11/30/2007	11/29/2008		\$350,000.00	\$350,000.00	Maintenance Facility Mods.	\$0.00	Yes
ML06057	City of Rancho Cucamonga	8/28/2007	6/27/2013	8/27/2014	\$100,000.00	\$100,000.00	4 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML06058	City of Santa Monica	7/12/2007	7/11/2013		\$149,925.00	\$0.00	3 H.D. CNG Trucks & CNG Fueling Station	\$149,925.00	No
ML06060	City of Temple City	6/12/2007	6/11/2013		\$31,885.00	\$0.00	Upgrade existing CNG infrastructure	\$31,885.00	No
ML06061	City of Chino Hills	4/30/2007	4/29/2013		\$25,000.00	\$25,000.00	One H.D. CNG Vehicle	\$0.00	Yes
ML06062	City of Redlands	5/11/2007	5/10/2013		\$100,000.00	\$100,000.00	4 H.D. LNG Vehicles	\$0.00	Yes
ML06063	City of Moreno Valley	3/23/2007	11/22/2012		\$25,000.00	\$25,000.00	One H.D. CNG Vehicle	\$0.00	Yes
ML06064	City of South Pasadena	1/25/2008	11/24/2013	11/24/2014	\$50,000.00	\$50,000.00	2 H.D. CNG Vehicles	\$0.00	Yes
ML06065	City of Walnut	6/29/2007	6/28/2013		\$44,203.00	\$44,203.00	Upgrade Existing CNG Infrastructure	\$0.00	Yes
ML06066	City of Ontario, Housing & Municipal	5/30/2007	1/29/2013		\$125,000.00	\$125,000.00	5 H.D. CNG Vehicles	\$0.00	Yes
ML06067	City of El Monte	3/17/2008	5/16/2014	11/16/2014	\$157,957.00	\$157,957.00	Upgrade existing CNG infrastructure	\$0.00	Yes
ML06068	City of Claremont	8/28/2007	6/27/2013		\$60,000.00	\$60,000.00	Expand existing CNG infrastructure	\$0.00	Yes
ML06069	City of Palos Verdes Estates	11/19/2007	11/18/2013		\$25,000.00	\$25,000.00	One H.D. CNG Vehicle	\$0.00	Yes
ML06070	City of Colton	4/30/2008	2/28/2015	4/30/2015	\$50,000.00	\$0.00	Two CNG Pickups	\$50,000.00	No
MS06001	Riverside County Transportation Co	8/3/2007	9/2/2011		\$825,037.00	\$825,037.00	New Freeway Service Patrol	\$0.00	Yes
MS06002	Orange County Transportation Autho	11/7/2007	11/6/2013		\$928,740.00	\$925,091.00	New Freeway Service Patrol	\$3,649.00	Yes
MS06003	San Bernardino Associated Governm	10/19/2006	6/18/2010		\$804,240.00	\$804,239.87	New Freeway Service Patrol	\$0.13	Yes
MS06004	Los Angeles County MTA	8/10/2006	7/9/2010		\$1,391,983.00	\$1,391,791.98	New Freeway Service Patrol	\$191.02	Yes
MS06010	US Airconditioning Distributors	12/28/2006	6/27/2012		\$83,506.00	\$83,506.00	New CNG Station - Industry	\$0.00	Yes
MS06011	County Sanitation Districts of L.A. Co	6/1/2006	7/31/2012		\$150,000.00	\$150,000.00	New CNG Station - Carson	\$0.00	Yes
MS06012	Consolidated Disposal Service	7/14/2006	9/13/2012	9/13/2014	\$297,981.00	\$297,981.00	New LNG Station & Facility Upgrades	\$0.00	Yes
MS06013	City of Commerce	1/9/2008	7/8/2014	7/8/2015	\$350,000.00	\$350,000.00	New L/CNG Station - Commerce	\$0.00	Yes
MS06042	Clean Energy Fuels Corp.	1/5/2007	1/4/2013		\$150,000.00	\$150,000.00	New CNG Station-Baldwin Park	\$0.00	Yes
MS06043X	Westport Fuel Systems, Inc.	2/3/2007	12/31/2010	9/30/2011	\$2,000,000.00	\$2,000,000.00	Advanced Natural Gas Engine Incentive Pro	\$0.00	Yes
MS06045	Orange County Transportation Autho	8/17/2007	12/16/2013		\$200,000.00	\$200,000.00	CNG Fueling Station/Maint. Fac. Mods	\$0.00	Yes
MS06047	Hemet Unified School District	9/19/2007	11/18/2013		\$125,000.00	\$125,000.00	CNG Refueling Station	\$0.00	Yes
MS06048	Newport-Mesa Unified School Distric	6/25/2007	8/24/2013	8/24/2014	\$50,000.00	\$50,000.00	CNG Fueling Station	\$0.00	Yes
MS06049	Clean Energy Fuels Corp.	4/20/2007	7/19/2013	11/30/2015	\$250,000.00	\$228,491.18	CNG Fueling Station - L.B.P.D.	\$21,508.82	Yes
MS06050	Rossmoor Pastries	1/24/2007	10/23/2012		\$18,750.00	\$14,910.50	CNG Fueling Station	\$3,839.50	Yes

**Total: 48**

**Open/Complete Contracts**

ML06035	City of Hemet, Public Works	11/10/2006	12/9/2012	1/9/2017	\$338,107.00	\$323,107.00	7 Nat Gas Trucks & New Nat Gas Infrastruct	\$15,000.00	Yes
ML06054	Los Angeles County Department of P	6/17/2009	6/16/2016		\$125,000.00	\$125,000.00	3 CNG & 2 LPG HD Trucks	\$0.00	Yes
ML06071	City of Santa Monica	6/13/2014		11/30/2016	\$149,925.00	\$149,925.00	3 H.D. CNG Trucks & CNG Fueling Station	\$0.00	Yes

**Total: 3**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>FY 2006-2007 Contracts</b>									
<b>Open Contracts</b>									
ML07044	City of Santa Monica	9/8/2008	3/7/2015	3/7/2017	\$600,000.00	\$50,000.00	24 H.D. Nat. Gas Vehicles	\$550,000.00	No
<b>Total: 1</b>									
<b>Declined/Cancelled Contracts</b>									
ML07031	City of Santa Monica				\$180,000.00	\$0.00	Upgrade N.G. Station to Add Hythane	\$180,000.00	No
ML07032	City of Huntington Beach Public Wor				\$25,000.00	\$0.00	One H.D. CNG Vehicle	\$25,000.00	No
ML07035	City of Los Angeles, General Service				\$350,000.00	\$0.00	New CNG Refueling Station/Southeast Yard	\$350,000.00	No
ML07038	City of Palos Verdes Estates				\$25,000.00	\$0.00	One H.D. LPG Vehicle	\$25,000.00	No
MS07010	Palos Verdes Peninsula Transit Auth				\$80,000.00	\$0.00	Repower 4 Transit Buses	\$80,000.00	No
MS07014	Clean Energy Fuels Corp.				\$350,000.00	\$0.00	New L/CNG Station - SERRF	\$350,000.00	No
MS07015	Baldwin Park Unified School District				\$57,500.00	\$0.00	New CNG Station	\$57,500.00	No
MS07016	County of Riverside Fleet Services D				\$36,359.00	\$0.00	New CNG Station - Rubidoux	\$36,359.00	No
MS07017	County of Riverside Fleet Services D				\$33,829.00	\$0.00	New CNG Station - Indio	\$33,829.00	No
MS07018	City of Cathedral City				\$350,000.00	\$0.00	New CNG Station	\$350,000.00	No
MS07021	City of Riverside				\$350,000.00	\$0.00	New CNG Station	\$350,000.00	No
MS07050	Southern California Disposal Co.				\$320,000.00	\$0.00	Ten Nat. Gas Refuse Trucks	\$320,000.00	No
MS07062	Caltrans Division of Equipment				\$1,081,818.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$1,081,818.00	No
MS07065	ECCO Equipment Corp.				\$174,525.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$174,525.00	No
MS07067	Recycled Materials Company of Calif				\$99,900.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$99,900.00	No
MS07069	City of Burbank	5/9/2008	3/8/2010	9/8/2011	\$8,895.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$8,895.00	No
MS07074	Albert W. Davies, Inc.	1/25/2008	11/24/2009		\$39,200.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$39,200.00	No
MS07081	Clean Diesel Technologies, Inc.				\$240,347.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$240,347.00	No
MS07082	DCL International, Inc.				\$153,010.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$153,010.00	No
MS07083	Dinex Exhausts, Inc.				\$52,381.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$52,381.00	No
MS07084	Donaldson Company, Inc.				\$42,416.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$42,416.00	No
MS07085	Engine Control Systems Limited				\$155,746.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$155,746.00	No
MS07086	Huss, LLC				\$84,871.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$84,871.00	No
MS07087	Mann+Hummel GmbH				\$189,361.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$189,361.00	No
MS07088	Nett Technologies, Inc.				\$118,760.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$118,760.00	No
MS07089	Rypos, Inc.				\$68,055.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$68,055.00	No
MS07090	Sud-Chemie				\$27,345.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$27,345.00	No
<b>Total: 27</b>									
<b>Closed Contracts</b>									
ML07025	City of San Bernardino	8/12/2008	7/11/2010		\$350,000.00	\$350,000.00	Maintenance Facility Modifications	\$0.00	Yes
ML07026	City of South Pasadena	6/13/2008	6/12/2014		\$25,000.00	\$25,000.00	One H.D. CNG Vehicle	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML07027	Los Angeles World Airports	6/3/2008	7/2/2014		\$25,000.00	\$25,000.00	One H.D. LNG Vehicle	\$0.00	Yes
ML07028	City of Los Angeles, General Service	3/13/2009	3/12/2014		\$350,000.00	\$350,000.00	New CNG Refueling Station/Hollywood Yard	\$0.00	Yes
ML07029	City of Los Angeles, General Service	3/13/2009	3/12/2014		\$350,000.00	\$350,000.00	New CNG Refueling Station/Venice Yard	\$0.00	Yes
ML07030	County of San Bernardino Public Wo	7/11/2008	9/10/2015		\$200,000.00	\$200,000.00	8 Natural Gas H.D. Vehicles	\$0.00	Yes
ML07033	City of La Habra	5/21/2008	6/20/2014	11/30/2013	\$25,000.00	\$25,000.00	One H.D. Nat Gas Vehicle	\$0.00	Yes
ML07034	City of Los Angeles, General Service	3/13/2009	3/12/2014		\$350,000.00	\$350,000.00	New CNG Refueling Station/Van Nuys Yard	\$0.00	Yes
ML07036	City of Alhambra	1/23/2009	2/22/2015		\$50,000.00	\$50,000.00	2 H.D. CNG Vehicles	\$0.00	Yes
ML07037	City of Los Angeles, General Service	10/8/2008	10/7/2015		\$255,222.00	\$255,222.00	Upgrade LNG/LCNG Station/East Valley Yar	\$0.00	Yes
ML07039	City of Baldwin Park	6/6/2008	6/5/2014	8/5/2015	\$50,000.00	\$50,000.00	Two N.G. H.D. Vehicles	\$0.00	Yes
ML07040	City of Moreno Valley	6/3/2008	9/2/2014		\$25,000.00	\$25,000.00	One Heavy-Duty CNG Vehicle	\$0.00	Yes
ML07041	City of La Quinta	6/6/2008	6/5/2014		\$25,000.00	\$25,000.00	One CNG Street Sweeper	\$0.00	Yes
ML07042	City of La Quinta	8/15/2008	9/14/2010		\$100,000.00	\$100,000.00	Street Sweeping Operations	\$0.00	Yes
ML07046	City of Culver City Transportation De	5/2/2008	5/1/2014		\$25,000.00	\$25,000.00	One H.D. Nat. Gas Vehicle	\$0.00	Yes
ML07047	City of Cathedral City	6/16/2008	9/15/2014	3/15/2015	\$225,000.00	\$225,000.00	Two H.D. Nat. Gas Vehicles/New CNG Fueli	\$0.00	Yes
ML07048	City of Cathedral City	9/19/2008	10/18/2010		\$100,000.00	\$84,972.45	Street Sweeping Operations	\$15,027.55	Yes
MS07001	A-Z Bus Sales, Inc.	12/28/2006	12/31/2007	2/29/2008	\$1,920,000.00	\$1,380,000.00	CNG School Bus Buydown	\$540,000.00	Yes
MS07002	BusWest	1/19/2007	12/31/2007	3/31/2008	\$840,000.00	\$840,000.00	CNG School Bus Buydown	\$0.00	Yes
MS07003	Westport Fuel Systems, Inc.	11/2/2007	12/31/2011	6/30/2013	\$1,500,000.00	\$1,499,990.00	Advanced Nat. Gas Engine Incentive Progra	\$10.00	Yes
MS07005	S-W Compressors	3/17/2008	3/16/2010		\$60,000.00	\$7,500.00	Mountain CNG School Bus Demo Program-	\$52,500.00	Yes
MS07006	Coachella Valley Association of Gov	2/28/2008	10/27/2008		\$400,000.00	\$400,000.00	Coachella Valley PM10 Reduction Street Sw	\$0.00	Yes
MS07007	Los Angeles World Airports	5/2/2008	11/1/2014		\$420,000.00	\$420,000.00	Purchase CNG 21 Transit Buses	\$0.00	Yes
MS07011	L A Service Authority for Freeway E	3/12/2010	5/31/2011	9/30/2011	\$700,000.00	\$700,000.00	"511" Commuter Services Campaign	\$0.00	Yes
MS07012	City of Los Angeles, General Service	6/13/2008	6/12/2009	6/12/2010	\$50,000.00	\$50,000.00	Maintenance Facility Modifications	\$0.00	Yes
MS07013	Rainbow Disposal Company, Inc.	1/25/2008	3/24/2014	9/24/2014	\$350,000.00	\$350,000.00	New High-Volume CNG Station	\$0.00	Yes
MS07019	City of Cathedral City	1/9/2009	6/8/2010		\$32,500.00	\$32,500.00	Maintenance Facility Modifications	\$0.00	Yes
MS07020	Avery Petroleum	5/20/2009	7/19/2015		\$250,000.00	\$250,000.00	New CNG Station	\$0.00	Yes
MS07051	City of San Bernardino	8/12/2008	12/11/2014		\$480,000.00	\$480,000.00	15 Nat. Gas Refuse Trucks	\$0.00	Yes
MS07052	City of Redlands	7/30/2008	11/29/2014		\$160,000.00	\$160,000.00	Five Nat. Gas Refuse Trucks	\$0.00	Yes
MS07053	City of Claremont	7/31/2008	12/30/2014		\$96,000.00	\$96,000.00	Three Nat. Gas Refuse Trucks	\$0.00	Yes
MS07055	City of Culver City Transportation De	7/8/2008	9/7/2014		\$192,000.00	\$192,000.00	Six Nat. Gas Refuse Trucks	\$0.00	Yes
MS07056	City of Whittier	9/5/2008	3/4/2015		\$32,000.00	\$32,000.00	One Nat. Gas Refuse Trucks	\$0.00	Yes
MS07057	CR&R, Inc.	7/31/2008	8/30/2014	6/30/2015	\$896,000.00	\$896,000.00	28 Nat. Gas Refuse Trucks	\$0.00	Yes
MS07058	The Better World Group	11/17/2007	11/16/2009	11/16/2011	\$247,690.00	\$201,946.21	MSRC Programmatic Outreach Services	\$45,743.79	Yes
MS07059	County Sanitation Districts of L.A. Co	9/5/2008	9/4/2010	7/14/2012	\$231,500.00	\$231,500.00	Off-Road Diesel Equipment Retrofit Program	\$0.00	Yes
MS07060	Community Recycling & Resource R	3/7/2008	1/6/2010	7/6/2011	\$177,460.00	\$98,471.00	Off-Road Diesel Equipment Retrofit Program	\$78,989.00	Yes
MS07061	City of Los Angeles, Department of	10/31/2008	8/30/2010	2/28/2013	\$40,626.00	\$40,626.00	Off-Road Diesel Equipment Retrofit Program	\$0.00	Yes
MS07063	Shimmick Construction Company, In	4/26/2008	2/25/2010	8/25/2011	\$80,800.00	\$11,956.37	Off-Road Diesel Equipment Retrofit Program	\$68,843.63	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS07064	Altfillisch Contractors, Inc.	9/19/2008	7/18/2010	1/18/2011	\$160,000.00	\$155,667.14	Off-Road Diesel Equipment Retrofit Program	\$4,332.86	Yes
MS07068	Sukut Equipment Inc.	1/23/2009	11/22/2010	5/22/2012	\$26,900.00	\$26,900.00	Off-Road Diesel Equipment Retrofit Program	\$0.00	Yes
MS07070	Griffith Company	4/30/2008	2/28/2010	8/28/2012	\$168,434.00	\$125,504.00	Off-Road Diesel Equipment Retrofit Program	\$42,930.00	Yes
MS07071	Tiger 4 Equipment Leasing	9/19/2008	7/18/2010	1/18/2013	\$210,937.00	\$108,808.97	Off-Road Diesel Equipment Retrofit Program	\$102,128.03	Yes
MS07072	City of Culver City Transportation De	4/4/2008	2/3/2010	8/3/2011	\$72,865.00	\$72,865.00	Off-Road Diesel Equipment Retrofit Program	\$0.00	Yes
MS07075	Dan Copp Crushing	9/17/2008	7/16/2010	1/16/2012	\$73,600.00	\$40,200.00	Off-Road Diesel Equipment Retrofit Program	\$33,400.00	Yes
MS07076	Reed Thomas Company, Inc.	8/15/2008	6/14/2010	3/14/2012	\$339,073.00	\$100,540.00	Off-Road Diesel Equipment Retrofit Program	\$238,533.00	Yes
MS07077	USA Waste of California, Inc.	5/1/2009	12/31/2014		\$160,000.00	\$160,000.00	Five Nat. Gas Refuse Trucks (Santa Ana)	\$0.00	Yes
MS07078	USA Waste of California, Inc.	5/1/2009	12/31/2014	12/31/2015	\$256,000.00	\$256,000.00	Eight Nat. Gas Refuse Trucks (Dewey's)	\$0.00	Yes
MS07079	Riverside County Transportation Co	1/30/2009	7/29/2013	12/31/2011	\$20,000.00	\$15,165.45	BikeMetro Website Migration	\$4,834.55	Yes
MS07091	BusWest	10/16/2009	3/15/2010		\$33,660.00	\$33,660.00	Provide Lease for 2 CNG School Buses	\$0.00	Yes
MS07092	Riverside County Transportation Co	9/1/2010	10/31/2011		\$350,000.00	\$350,000.00	"511" Commuter Services Campaign	\$0.00	Yes

**Total: 51**

**Closed/Incomplete Contracts**

ML07045	City of Inglewood	2/6/2009	4/5/2015		\$75,000.00	\$25,000.00	3 H.D. Nat. Gas Vehicles	\$50,000.00	No
MS07004	BusWest	7/2/2007	7/1/2009		\$90,928.00	\$68,196.00	Provide Lease for 2 CNG School Buses	\$22,732.00	No
MS07066	Skanska USA Civil West California D	6/28/2008	4/27/2010	10/27/2010	\$111,700.00	\$36,128.19	Off-Road Diesel Equipment Retrofit Program	\$75,571.81	No
MS07073	PEED Equipment Co.	10/31/2008	8/30/2010		\$11,600.00	\$0.00	Off-Road Diesel Equipment Retrofit Program	\$11,600.00	No

**Total: 4**

**Open/Complete Contracts**

ML07023	City of Riverside	6/20/2008	10/19/2014	7/19/2016	\$462,500.00	\$461,476.42	CNG Station Expansion/Purch. 14 H.D. Vehi	\$1,023.58	Yes
ML07024	City of Garden Grove	3/7/2008	9/6/2014	7/6/2016	\$75,000.00	\$75,000.00	Three H.D. CNG Vehicles	\$0.00	Yes
ML07043	City of Redondo Beach	9/28/2008	7/27/2014	10/27/2016	\$125,000.00	\$125,000.00	Five H.D. CNG Transit Vehicles	\$0.00	Yes
MS07008	City of Los Angeles, Department of T	9/18/2009	5/17/2020	9/17/2017	\$1,900,000.00	\$1,900,000.00	Purchase 95 Transit Buses	\$0.00	Yes
MS07009	Orange County Transportation Autho	5/14/2008	4/13/2016		\$800,000.00	\$800,000.00	Purchase 40 Transit Buses	\$0.00	Yes
MS07022	CSULA Hydrogen Station and Resea	10/30/2009	12/29/2015	10/29/2019	\$250,000.00	\$250,000.00	New Hydrogen Fueling Station	\$0.00	Yes
MS07049	Palm Springs Disposal Services	10/23/2008	11/22/2014	9/22/2016	\$96,000.00	\$96,000.00	Three Nat. Gas Refuse Trucks	\$0.00	Yes
MS07054	Republic Services, Inc.	3/7/2008	9/6/2014	9/6/2016	\$1,280,000.00	\$1,280,000.00	40 Nat. Gas Refuse Trucks	\$0.00	Yes
MS07080	City of Los Angeles, Bureau of Sanit	10/31/2008	8/30/2010	8/28/2016	\$63,192.00	\$62,692.00	Off-Road Diesel Equipment Retrofit Program	\$500.00	No

**Total: 9**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
--------	------------	------------	-------------------	------------------	----------------	----------	---------------------	---------------	-------------------

### **FY 2007-2008 Contracts**

#### **Open Contracts**

ML08028	City of Santa Monica	9/11/2009	9/10/2016	5/10/2019	\$600,000.00	\$0.00	24 CNG Heavy-Duty Vehicles	\$600,000.00	No
ML08030	City of Azusa	5/14/2010	3/13/2016		\$25,000.00	\$0.00	1 CNG Heavy-Duty Vehicle	\$25,000.00	No
ML08043	City of Desert Hot Springs	9/25/2009	3/24/2016		\$25,000.00	\$0.00	1 CNG Heavy-Duty Vehicle	\$25,000.00	No
MS08007	United Parcel Service West Region	12/10/2008	10/9/2014	4/9/2019	\$300,000.00	\$0.00	10 H.D. Nat. Gas Vehicles	\$300,000.00	No
MS08013	United Parcel Service West Region	12/10/2008	10/9/2014	3/9/2019	\$480,000.00	\$216,000.00	12 H.D. Nat. Gas Yard Tractors	\$264,000.00	No
MS08058	Clean Energy Fuels Corp.	11/26/2009	3/25/2016	3/25/2017	\$400,000.00	\$320,000.00	New CNG Station - Ontario Airport	\$80,000.00	No
MS08068	Regents of the University of Californi	11/5/2010	11/4/2017	11/4/2019	\$400,000.00	\$0.00	Hydrogen Station	\$400,000.00	No

**Total: 7**

#### **Declined/Cancelled Contracts**

ML08032	City of Irvine	5/1/2009	8/31/2010		\$9,000.00	\$0.00	36 Vehicles (Diagnostic)	\$9,000.00	No
ML08041	City of Los Angeles, Dept of Transpo	8/6/2010	7/5/2011	12/5/2011	\$8,800.00	\$0.00	73 Vehicles (Diagnostic)	\$8,800.00	No
ML08049	City of Cerritos	3/20/2009	1/19/2015	2/19/2017	\$25,000.00	\$0.00	1 CNG Heavy-Duty Vehicle	\$25,000.00	No
ML08051	City of Colton				\$75,000.00	\$0.00	3 CNG Heavy-Duty Vehicles	\$75,000.00	No
MS08002	Orange County Transportation Autho				\$1,500,000.00	\$0.00	Big Rig Freeway Service Patrol	\$1,500,000.00	No
MS08008	Diversified Truck Rental & Leasing				\$300,000.00	\$0.00	10 H.D. Nat. Gas Vehicles	\$300,000.00	No
MS08010	Orange County Transportation Autho				\$10,000.00	\$0.00	20 H.D. Nat. Gas Vehicles	\$10,000.00	No
MS08011	Green Fleet Systems, LLC				\$10,000.00	\$0.00	30 H.D. Nat. Gas Vehicles	\$10,000.00	No
MS08052	Burrtec Waste Industries, Inc.	12/24/2008	11/23/2014	11/23/2015	\$100,000.00	\$0.00	New CNG Station - Fontana	\$100,000.00	No
MS08054	Clean Energy Fuels Corp.				\$400,000.00	\$0.00	New LNG Station - Fontana	\$400,000.00	No
MS08055	Clean Energy Fuels Corp.	11/26/2009	3/25/2016	3/25/2017	\$400,000.00	\$0.00	New LNG Station - Long Beach-Pier S	\$400,000.00	No
MS08059	Burrtec Waste Industries, Inc.	12/24/2008	11/23/2014		\$100,000.00	\$0.00	New CNG Station - San Bernardino	\$100,000.00	No
MS08060	Burrtec Waste Industries, Inc.	12/24/2008	11/23/2014		\$100,000.00	\$0.00	New CNG Station - Azusa	\$100,000.00	No
MS08062	Go Natural Gas	9/25/2009	1/24/2016	1/24/2017	\$400,000.00	\$0.00	New CNG Station - Rialto	\$400,000.00	No
MS08074	Fontana Unified School District	11/14/2008	12/13/2014		\$200,000.00	\$0.00	Expansion of Existing CNG station	\$200,000.00	No
MS08077	Hythane Company, LLC				\$144,000.00	\$0.00	Upgrade Station to Hythane	\$144,000.00	No

**Total: 16**

#### **Closed Contracts**

ML08023	City of Villa Park	11/7/2008	10/6/2012		\$6,500.00	\$5,102.50	Upgrade of Existing Refueling Facility	\$1,397.50	Yes
ML08027	Los Angeles County Department of P	7/20/2009	1/19/2011	1/19/2012	\$6,901.00	\$5,124.00	34 Vehicles (Diagnostic)	\$1,777.00	Yes
ML08029	City of Gardena	3/19/2009	1/18/2015		\$25,000.00	\$25,000.00	1 Propane Heavy-Duty Vehicle	\$0.00	Yes
ML08031	City of Claremont	3/27/2009	3/26/2013	3/26/2015	\$97,500.00	\$97,500.00	Upgrade of Existing CNG Station, Purchase	\$0.00	Yes
ML08033	County of San Bernardino Public Wo	4/3/2009	2/2/2010		\$14,875.00	\$14,875.00	70 Vehicles (Diagnostic)	\$0.00	Yes
ML08034	County of San Bernardino Public Wo	3/27/2009	7/26/2015		\$150,000.00	\$150,000.00	8 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08035	City of La Verne	3/6/2009	11/5/2009		\$11,925.00	\$11,925.00	53 Vehicles (Diagnostic)	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML08036	City of South Pasadena	5/12/2009	7/11/2013		\$169,421.00	\$169,421.00	New CNG Station	\$0.00	Yes
ML08037	City of Glendale	5/20/2009	5/19/2015		\$325,000.00	\$325,000.00	13 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08039	City of Rancho Palos Verdes	6/5/2009	8/4/2015		\$50,000.00	\$50,000.00	2 LPG Transit Buses	\$0.00	Yes
ML08042	City of Ontario, Housing & Municipal	5/1/2009	1/31/2016		\$175,000.00	\$175,000.00	7 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08044	City of Chino	3/19/2009	3/18/2015		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
ML08045	City of Santa Clarita	2/20/2009	6/19/2010		\$3,213.00	\$3,150.00	14 Vehicles (Diagnostic)	\$63.00	Yes
ML08046	City of Paramount	2/20/2009	2/19/2015		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
ML08047	City of Culver City Transportation De	5/12/2009	8/11/2015		\$150,000.00	\$150,000.00	6 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08048	City of Santa Clarita	2/20/2009	6/19/2015		\$25,000.00	\$25,000.00	1 CNG Heavy-Duty Vehicle	\$0.00	Yes
ML08080	City of Irvine	5/1/2009	5/31/2015		\$50,000.00	\$0.00	Two Heavy-Duty Nat. Gas Vehicles	\$50,000.00	No
MS08001	Los Angeles County MTA	12/10/2010	6/9/2014		\$1,500,000.00	\$1,499,999.66	Big Rig Freeway Service Patrol	\$0.34	Yes
MS08003	A-Z Bus Sales, Inc.	5/2/2008	12/31/2008	2/28/2009	\$1,480,000.00	\$1,400,000.00	Alternative Fuel School Bus Incentive Progra	\$80,000.00	Yes
MS08004	BusWest	5/2/2008	12/31/2008		\$1,440,000.00	\$1,440,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS08005	Burrtec Waste Industries, Inc.	10/23/2008	11/22/2014	10/22/2015	\$450,000.00	\$450,000.00	15 H.D. Nat. Gas Vehicles - Azusa	\$0.00	Yes
MS08006	Burrtec Waste Industries, Inc.	10/23/2008	11/22/2014	10/22/2015	\$450,000.00	\$450,000.00	15 H.D. Nat. Gas Vehicles - Saugus	\$0.00	Yes
MS08009	Los Angeles World Airports	12/24/2008	12/23/2014		\$870,000.00	\$870,000.00	29 H.D. Nat. Gas Vehicles	\$0.00	Yes
MS08014	City of San Bernardino	12/5/2008	6/4/2015		\$390,000.00	\$360,000.00	13 H.D. Nat. Gas Vehicles	\$30,000.00	Yes
MS08015	Yosemite Waters	5/12/2009	5/11/2015		\$180,000.00	\$117,813.60	11 H.D. Propane Vehicles	\$62,186.40	Yes
MS08016	TransVironmental Solutions, Inc.	1/23/2009	12/31/2010	9/30/2011	\$227,198.00	\$80,351.34	Rideshare 2 School Program	\$146,846.66	Yes
MS08020	Ware Disposal Company, Inc.	11/25/2008	2/24/2016		\$900,000.00	\$900,000.00	30 CNG Vehicles	\$0.00	Yes
MS08022	SunLine Transit Agency	12/18/2008	3/17/2015		\$311,625.00	\$311,625.00	15 CNG Buses	\$0.00	Yes
MS08053	City of Los Angeles, Bureau of Sanit	2/18/2009	12/17/2015		\$400,000.00	\$400,000.00	New LNG/CNG Station	\$0.00	Yes
MS08056	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New LNG Station - POLB-Anah. & I	\$0.00	Yes
MS08057	Orange County Transportation Autho	5/14/2009	7/13/2015		\$400,000.00	\$400,000.00	New CNG Station - Garden Grove	\$0.00	Yes
MS08061	Clean Energy Fuels Corp.	12/4/2009	3/3/2015		\$400,000.00	\$400,000.00	New CNG Station - L.A.-La Cienega	\$0.00	Yes
MS08064	Hemet Unified School District	1/9/2009	3/8/2015		\$75,000.00	\$75,000.00	Expansion of Existing Infrastructure	\$0.00	Yes
MS08065	Pupil Transportation Cooperative	11/20/2008	7/19/2014		\$10,500.00	\$10,500.00	Existing CNG Station Modifications	\$0.00	Yes
MS08066	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Palm Spring Airport	\$0.00	Yes
MS08070	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Paramount	\$0.00	Yes
MS08071	ABC Unified School District	1/16/2009	1/15/2015		\$63,000.00	\$63,000.00	New CNG Station	\$0.00	Yes
MS08072	Clean Energy Fuels Corp.	12/4/2009	3/3/2015		\$400,000.00	\$354,243.38	New CNG Station - Burbank	\$45,756.62	Yes
MS08073	Clean Energy Fuels Corp.	11/26/2009	2/25/2015		\$400,000.00	\$400,000.00	New CNG Station - Norwalk	\$0.00	Yes
MS08075	Disneyland Resort	12/10/2008	2/1/2015		\$200,000.00	\$200,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS08078	SunLine Transit Agency	12/10/2008	6/9/2015	2/9/2016	\$189,000.00	\$189,000.00	CNG Station Upgrade	\$0.00	Yes
MS09002	A-Z Bus Sales, Inc.	11/7/2008	12/31/2009	12/31/2010	\$2,520,000.00	\$2,460,000.00	Alternative Fuel School Bus Incentive Progra	\$60,000.00	Yes
MS09004	A-Z Bus Sales, Inc.	1/30/2009	3/31/2009		\$156,000.00	\$156,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS09047	BusWest	7/9/2010	12/31/2010	4/30/2011	\$480,000.00	\$480,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>Total: 44</b>									
<b>Closed/Incomplete Contracts</b>									
ML08025	Los Angeles County Department of P	10/30/2009	3/29/2011		\$75,000.00	\$0.00	150 Vehicles (Diagnostic)	\$75,000.00	No
MS08079	ABC Unified School District	1/16/2009	12/15/2009	12/15/2010	\$50,000.00	\$0.00	Maintenance Facility Modifications	\$50,000.00	No
<b>Total: 2</b>									
<b>Open/Complete Contracts</b>									
ML08024	City of Anaheim	7/9/2010	7/8/2017	1/8/2018	\$425,000.00	\$425,000.00	9 LPG Buses and 8 CNG Buses	\$0.00	Yes
ML08026	Los Angeles County Department of P	7/20/2009	7/19/2016		\$250,000.00	\$250,000.00	10 LPG Heavy-Duty Vehicles	\$0.00	Yes
ML08038	Los Angeles Department of Water an	7/16/2010	7/15/2017		\$1,050,000.00	\$1,050,000.00	42 CNG Heavy-Duty Vehicles	\$0.00	Yes
ML08040	City of Riverside	9/11/2009	9/10/2016	3/10/2019	\$455,500.00	\$455,500.00	16 CNG Vehicles, Expand CNG Station & M	\$0.00	Yes
ML08050	City of Laguna Beach Public Works	8/12/2009	4/11/2016	10/11/2016	\$75,000.00	\$75,000.00	3 LPG Trolleys	\$0.00	Yes
MS08012	California Cartage Company, LLC	12/21/2009	10/20/2015	4/20/2016	\$480,000.00	\$480,000.00	12 H.D. Nat. Gas Yard Tractors	\$0.00	Yes
MS08017	Omnitrans	12/13/2008	12/12/2015	12/12/2016	\$900,000.00	\$900,000.00	30 CNG Buses	\$0.00	Yes
MS08018	Los Angeles County Department of P	8/7/2009	10/6/2016	4/6/2018	\$60,000.00	\$60,000.00	2 CNG Vehicles	\$0.00	Yes
MS08019	Enterprise Rent-A-Car Company of L	2/12/2010	7/11/2016		\$300,000.00	\$300,000.00	10 CNG Vehicles	\$0.00	Yes
MS08021	CalMet Services, Inc.	1/9/2009	1/8/2016	7/8/2016	\$900,000.00	\$900,000.00	30 CNG Vehicles	\$0.00	Yes
MS08063	Go Natural Gas	9/25/2009	1/24/2016	1/24/2017	\$400,000.00	\$400,000.00	New CNG Station - Moreno Valley	\$0.00	Yes
MS08067	Trillium CNG	3/19/2009	6/18/2015	6/18/2016	\$311,600.00	\$254,330.00	New CNG Station	\$57,270.00	Yes
MS08069	Perris Union High School District	6/5/2009	8/4/2015	8/4/2016	\$225,000.00	\$225,000.00	New CNG Station	\$0.00	Yes
MS08076	Azusa Unified School District	10/17/2008	11/16/2014	1/31/2017	\$172,500.00	\$172,500.00	New CNG station and maint. Fac. Modificati	\$0.00	Yes
<b>Total: 14</b>									



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
--------	------------	------------	-------------------	------------------	----------------	----------	---------------------	---------------	-------------------

### **FY 2008-2009 Contracts**

#### **Open Contracts**

ML09033	City of Beverly Hills	3/4/2011	5/3/2017	5/3/2018	\$550,000.00	\$100,000.00	10 Nat. Gas Heavy-Duty Vehicles & CNG St	\$450,000.00	No
ML09036	City of Long Beach Fleet Services B	5/7/2010	5/6/2017	5/6/2020	\$875,000.00	\$525,000.00	Purchase 35 LNG Refuse Trucks	\$350,000.00	No

**Total: 2**

#### **Declined/Cancelled Contracts**

ML09017	County of San Bernardino Public Wo	1/28/2010	7/27/2016		\$200,000.00	\$0.00	8 Nat. Gas Heavy-Duty Vehicles	\$200,000.00	No
ML09018	Los Angeles Department of Water an	7/16/2010	9/15/2012		\$850,000.00	\$0.00	Retrofit 85 Off-Road Vehicles w/DECS	\$850,000.00	No
ML09019	City of San Juan Capistrano Public	12/4/2009	11/3/2010		\$10,125.00	\$0.00	Remote Vehicle Diagnostics/45 Vehicles	\$10,125.00	No
ML09022	Los Angeles County Department of P				\$8,250.00	\$0.00	Remote Vehicle Diagnostics/15 Vehicles	\$8,250.00	No
ML09025	Los Angeles County Department of P	10/15/2010	12/14/2012	6/14/2013	\$50,000.00	\$0.00	Remote Vehicle Diagnostics/85 Vehicles	\$50,000.00	No
ML09028	Riverside County Waste Manageme				\$140,000.00	\$0.00	Retrofit 7 Off-Road Vehicles w/DECS	\$140,000.00	No
ML09039	City of Inglewood				\$310,000.00	\$0.00	Purchase 12 H.D. CNG Vehicles and Remot	\$310,000.00	No
ML09040	City of Cathedral City				\$83,125.00	\$0.00	Purchase 3 H.D. CNG Vehicles and Remote	\$83,125.00	No
ML09044	City of San Dimas				\$425,000.00	\$0.00	Install CNG Station and Purchase 1 CNG S	\$425,000.00	No
ML09045	City of Orange				\$125,000.00	\$0.00	Purchase 5 CNG Sweepers	\$125,000.00	No
MS09003	FuelMaker Corporation				\$296,000.00	\$0.00	Home Refueling Apparatus Incentives	\$296,000.00	No

**Total: 11**

#### **Closed Contracts**

ML09007	City of Rancho Cucamonga	2/26/2010	4/25/2012		\$117,500.00	\$62,452.57	Maintenance Facility Modification	\$55,047.43	Yes
ML09010	City of Palm Springs	1/8/2010	2/7/2016		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09012	City of Gardena	3/12/2010	11/11/2015		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09013	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$144,470.00	\$128,116.75	Traffic Signal Synchr./Moreno Valley	\$16,353.25	Yes
ML09014	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$113,030.00	\$108,495.94	Traffic Signal Synchr./Corona	\$4,534.06	Yes
ML09015	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$80,060.00	\$79,778.52	Traffic Signal Synchr./Co. of Riverside	\$281.48	Yes
ML09016	County of San Bernardino Public Wo	1/28/2010	3/27/2014		\$50,000.00	\$50,000.00	Install New CNG Station	\$0.00	Yes
ML09020	County of San Bernardino	8/16/2010	2/15/2012		\$49,770.00	\$49,770.00	Remote Vehicle Diagnostics/252 Vehicles	\$0.00	Yes
ML09021	City of Palm Desert	7/9/2010	3/8/2012		\$39,450.00	\$38,248.87	Traffic Signal Synchr./Rancho Mirage	\$1,201.13	Yes
ML09024	Los Angeles County Department of P	10/15/2010	12/14/2012	6/14/2013	\$400,000.00	\$0.00	Maintenance Facility Modifications	\$400,000.00	No
ML09027	Los Angeles County Department of P	7/23/2010	3/22/2012	6/22/2012	\$150,000.00	\$150,000.00	Freeway Detector Map Interface	\$0.00	Yes
ML09030	City of Los Angeles GSD/Fleet Servi	6/18/2010	6/17/2011		\$22,310.00	\$22,310.00	Remote Vehicle Diagnostics/107 Vehicles	\$0.00	Yes
ML09034	City of La Palma	11/25/2009	6/24/2015		\$25,000.00	\$25,000.00	1 LPG Heavy-Duty Vehicle	\$0.00	Yes
ML09047	Los Angeles County Department of P	8/13/2014	8/12/2015	11/12/2015	\$400,000.00	\$272,924.53	Maintenance Facility Modifications	\$127,075.47	No
MS09001	Administrative Services Co-Op/Long	3/5/2009	6/30/2012	12/31/2013	\$225,000.00	\$150,000.00	15 CNG Taxicabs	\$75,000.00	Yes
MS09005	Gas Equipment Systems, Inc.	6/19/2009	10/18/2010		\$71,000.00	\$71,000.00	Provide Temp. Fueling for Mountain Area C	\$0.00	Yes

**Total: 16**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>Open/Complete Contracts</b>									
ML09008	City of Culver City Transportation De	1/19/2010	7/18/2016	7/18/2017	\$175,000.00	\$175,000.00	8 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09009	City of South Pasadena	11/5/2010	12/4/2016	3/4/2019	\$125,930.00	\$125,930.00	CNG Station Expansion	\$0.00	Yes
ML09011	City of San Bernardino	2/19/2010	5/18/2016		\$250,000.00	\$250,000.00	10 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09023	Los Angeles County Department of P	12/10/2010	12/9/2017		\$50,000.00	\$50,000.00	2 Heavy-Duty Alternative Fuel Transit Vehicl	\$0.00	Yes
ML09026	Los Angeles County Department of P	10/15/2010	10/14/2017	4/14/2019	\$150,000.00	\$80,411.18	3 Off-Road Vehicles Repowers	\$69,588.82	Yes
ML09029	City of Whittier	11/6/2009	4/5/2016		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09031	City of Los Angeles, Department of	10/29/2010	10/28/2017		\$825,000.00	\$825,000.00	33 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09032	Los Angeles World Airports	4/8/2011	4/7/2018		\$175,000.00	\$175,000.00	7 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09035	City of Fullerton	6/17/2010	6/16/2017	12/16/2018	\$450,000.00	\$450,000.00	2 Heavy-Duty CNG Vehicles & Install CNG	\$0.00	Yes
ML09037	City of Redondo Beach	6/18/2010	6/17/2016		\$50,000.00	\$50,000.00	Purchase Two CNG Sweepers	\$0.00	Yes
ML09038	City of Chino	9/27/2010	5/26/2017		\$250,000.00	\$250,000.00	Upgrade Existing CNG Station	\$0.00	Yes
ML09041	City of Los Angeles, Bureau of Sanit	10/1/2010	9/30/2017		\$875,000.00	\$875,000.00	Purchase 35 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML09042	Los Angeles Department of Water an	12/10/2010	12/9/2017		\$1,400,000.00	\$1,400,000.00	Purchase 56 Dump Trucks	\$0.00	Yes
ML09043	City of Covina	10/8/2010	4/7/2017	10/7/2018	\$179,591.00	\$179,591.00	Upgrade Existing CNG Station	\$0.00	Yes
ML09046	City of Newport Beach	5/20/2010	5/19/2016		\$162,500.00	\$162,500.00	Upgrade Existing CNG Station, Maintenance	\$0.00	Yes

**Total: 15**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>FY 2010-2011 Contracts</b>									
<b>Open Contracts</b>									
ML11020	City of Indio	2/1/2013	3/31/2019	9/30/2019	\$30,000.00	\$0.00	Retrofit one H.D. Vehicles w/DECS, repower	\$30,000.00	No
ML11024	County of Los Angeles, Dept of Publi	12/5/2014	6/4/2022		\$90,000.00	\$0.00	Purchase 3 Nat. Gas H.D. Vehicles	\$90,000.00	No
ML11029	City of Santa Ana	9/7/2012	3/6/2020		\$262,500.00	\$0.00	Expansion of Existing CNG Station, Install N	\$262,500.00	No
ML11032	City of Gardena	3/2/2012	9/1/2018	10/1/2020	\$102,500.00	\$0.00	Modify Maint. Facility, Expand CNG station,	\$102,500.00	No
ML11036	City of Riverside	1/27/2012	1/26/2019	3/26/2021	\$670,000.00	\$0.00	Install New CNG Station, Purchase 9 H.D. N	\$670,000.00	No
ML11038	City of Santa Monica	5/18/2012	7/17/2018		\$400,000.00	\$0.00	Maintenance Facility Modifications	\$400,000.00	No
ML11040	City of South Pasadena	5/4/2012	1/3/2019		\$30,000.00	\$0.00	Purchase 1 Nat. Gas H.D. Vehicle	\$30,000.00	No
ML11041	City of Santa Ana	9/7/2012	11/6/2018	5/6/2020	\$265,000.00	\$34,651.86	Purchase 7 LPG H.D. Vehicles, Retrofit 6 H.	\$230,348.14	No
ML11045	City of Newport Beach	2/3/2012	8/2/2018	8/2/2020	\$30,000.00	\$0.00	Purchase 1 Nat. Gas H.D. Vehicle	\$30,000.00	No
MS11062	Load Center	9/7/2012	1/6/2016	12/6/2016	\$175,384.00	\$169,883.00	Retrofit Six Off-Road Vehicles under Showc	\$5,501.00	No
MS11065	Temecula Valley Unified School Distr	8/11/2012	1/10/2019		\$50,000.00	\$0.00	Expansion of Existing CNG Station	\$50,000.00	No
MS11085	City of Long Beach Fleet Services B	8/23/2013	12/22/2016		\$159,012.00	\$0.00	Retrofit Seven H.D. Off-Road Vehicles Unde	\$159,012.00	No
MS11086	DCL America Inc.	6/7/2013	10/6/2016		\$500,000.00	\$318,191.96	Retrofit Eight H.D. Off-Road Vehicles Under	\$181,808.04	No
MS11091	California Cartage Company, LLC	4/5/2013	8/4/2016	2/4/2018	\$55,000.00	\$0.00	Retrofit Two H.D. Off-Road Vehicles Under	\$55,000.00	No
MS11092	Griffith Company	2/15/2013	6/14/2016	12/14/2017	\$390,521.00	\$0.00	Retrofit 17 H.D. Off-Road Vehicles Under Sh	\$390,521.00	No
<b>Total: 15</b>									
<b>Declined/Cancelled Contracts</b>									
MS11013	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Huntington Beach	\$150,000.00	No
MS11014	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Santa Ana	\$150,000.00	No
MS11015	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Inglewood	\$150,000.00	No
MS11046	Luis Castro				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11047	Ivan Borjas				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11048	Phase II Transportation				\$1,080,000.00	\$0.00	Repower 27 Heavy-Duty Vehicles	\$1,080,000.00	No
MS11049	Ruben Caceras				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11050	Carlos Arrue				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11051	Francisco Vargas				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11053	Jose Ivan Soltero				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11054	Albino Meza				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11059	Go Natural Gas				\$150,000.00	\$0.00	New Public Access CNG Station - Paramou	\$150,000.00	No
MS11063	Standard Concrete Products				\$310,825.00	\$0.00	Retrofit Two Off-Road Vehicles under Showc	\$310,825.00	No
MS11070	American Honda Motor Company				\$100,000.00	\$0.00	Expansion of Existing CNG Station	\$100,000.00	No
MS11072	Trillium USA Company DBA Californi				\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS11077	DCL America Inc.				\$263,107.00	\$0.00	Retrofit of 13 Off-Road Diesel Vehicles with	\$263,107.00	No
MS11083	Catrac Construction, Inc.				\$500,000.00	\$0.00	Install DECS on Eight Off-Road Vehicles	\$500,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS11084	Ivanhoe Energy Services and Develo				\$66,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$66,750.00	No
MS11088	Diesel Emission Technologies				\$32,750.00	\$0.00	Retrofit Three H.D. Off-Road Vehicles Under	\$32,750.00	No
MS11089	Diesel Emission Technologies				\$9,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$9,750.00	No
MS11090	Diesel Emission Technologies				\$14,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$14,750.00	No

**Total: 21**

#### Closed Contracts

ML11007	Coachella Valley Association of Gov	7/29/2011	7/28/2012		\$250,000.00	\$249,999.96	Regional PM10 Street Sweeping Program	\$0.04	Yes
ML11027	City of Los Angeles, Dept. of Genera	5/4/2012	7/3/2015	1/3/2016	\$300,000.00	\$300,000.00	Maintenance Facility Modifications	\$0.00	No
ML11035	City of La Quinta	11/18/2011	11/17/2012		\$25,368.00	\$25,368.00	Retrofit 3 On-Road Vehicles w/DECS	\$0.00	Yes
MS11001	Mineral LLC	4/22/2011	4/30/2013	4/30/2015	\$111,827.00	\$103,136.83	Design, Develop, Host and Maintain MSRC	\$8,690.17	Yes
MS11002	A-Z Bus Sales, Inc.	7/15/2011	12/31/2011	6/30/2013	\$1,705,000.00	\$1,705,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS11003	BusWest	7/26/2011	12/31/2011	12/31/2012	\$1,305,000.00	\$1,305,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS11004	Los Angeles County MTA	9/9/2011	2/29/2012		\$450,000.00	\$299,743.34	Clean Fuel Transit Service to Dodger Stadiu	\$150,256.66	Yes
MS11006	Orange County Transportation Autho	10/7/2011	2/29/2012	8/31/2012	\$268,207.00	\$160,713.00	Metrolink Service to Angel Stadium	\$107,494.00	Yes
MS11018	Orange County Transportation Autho	10/14/2011	1/31/2012		\$211,360.00	\$211,360.00	Express Bus Service to Orange County Fair	\$0.00	Yes
MS11052	Krisda Inc	9/27/2012	6/26/2013		\$120,000.00	\$120,000.00	Repower Three Heavy-Duty Vehicles	\$0.00	Yes
MS11056	The Better World Group	12/30/2011	12/29/2013	12/29/2015	\$206,836.00	\$186,953.46	Programmatic Outreach Services	\$19,882.54	Yes
MS11057	Riverside County Transportation Co	7/28/2012	3/27/2013		\$100,000.00	\$89,159.40	Develop and Implement 511 "Smart Phone"	\$10,840.60	Yes
MS11058	L A Service Authority for Freeway E	5/31/2013	4/30/2014		\$123,395.00	\$123,395.00	Implement 511 "Smart Phone" Application	\$0.00	Yes
MS11061	Eastern Municipal Water District	3/29/2012	5/28/2015		\$11,659.00	\$1,450.00	Retrofit One Off-Road Vehicle under Showc	\$10,209.00	Yes
MS11074	SunLine Transit Agency	5/11/2012	7/31/2012		\$41,849.00	\$22,391.00	Transit Service for Coachella Valley Festival	\$19,458.00	Yes
MS11080	Southern California Regional Rail Au	4/6/2012	7/31/2012		\$26,000.00	\$26,000.00	Metrolink Service to Auto Club Speedway	\$0.00	Yes
MS11087	Cemex Construction Material Pacific,	10/16/2012	2/15/2016		\$448,766.00	\$448,760.80	Retrofit 13 H.D. Off-Road Vehicles Under Sh	\$5.20	Yes

**Total: 17**

#### Closed/Incomplete Contracts

MS11064	City of Hawthorne	7/28/2012	8/27/2018	8/27/2019	\$175,000.00	\$0.00	New Limited Access CNG Station	\$175,000.00	No
MS11076	SA Recycling, LLC	5/24/2012	9/23/2015		\$424,801.00	\$0.00	Retrofit of 13 Off-Road Diesel Vehicles with	\$424,801.00	No
MS11081	Metropolitan Stevedore Company	9/7/2012	1/6/2016		\$45,416.00	\$0.00	Install DECS on Two Off-Road Vehicles	\$45,416.00	No
MS11082	Baumot North America, LLC	8/2/2012	12/1/2015		\$65,958.00	\$4,350.00	Install DECS on Four Off-Road Vehicles	\$61,608.00	Yes

**Total: 4**

#### Open/Complete Contracts

ML11021	City of Whittier	1/27/2012	9/26/2018	6/26/2019	\$210,000.00	\$210,000.00	Purchase 7 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11022	City of Anaheim	3/16/2012	7/15/2018		\$150,000.00	\$150,000.00	Purchase of 5 H.D. Vehicles	\$0.00	Yes
ML11023	City of Rancho Cucamonga	4/20/2012	12/19/2018	9/19/2020	\$260,000.00	\$260,000.00	Expand Existing CNG Station, 2 H.D. Vehicl	\$0.00	Yes
ML11025	County of Los Angeles Department o	3/14/2014	9/13/2021		\$150,000.00	\$150,000.00	Purchase 5 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11026	City of Redlands	3/2/2012	10/1/2018		\$90,000.00	\$90,000.00	Purchase 3 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11028	City of Glendale	1/13/2012	5/12/2018		\$300,000.00	\$300,000.00	Purchase 10 H.D. CNG Vehicles	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML11030	City of Fullerton	2/3/2012	3/2/2018		\$109,200.00	\$109,200.00	Purchase 2 Nat. Gas H.D. Vehicles, Retrofit	\$0.00	Yes
ML11031	City of Culver City Transportation De	12/2/2011	12/1/2018		\$300,000.00	\$300,000.00	Purchase 10 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML11033	City of Los Angeles, Bureau of Sanit	3/16/2012	1/15/2019		\$1,080,000.00	\$1,080,000.00	Purchase 36 LNG H.D. Vehicles	\$0.00	Yes
ML11034	City of Los Angeles, Department of	5/4/2012	1/3/2019		\$630,000.00	\$630,000.00	Purchase 21 H.D. CNG Vehicles	\$0.00	Yes
ML11037	City of Anaheim	12/22/2012	12/21/2019		\$300,000.00	\$300,000.00	Purchase 12 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11039	City of Ontario, Housing & Municipal	1/27/2012	9/26/2018		\$180,000.00	\$180,000.00	Purchase 6 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11042	City of Chino	2/17/2012	4/16/2018		\$30,000.00	\$30,000.00	Purchase 1 Nat. Gas H.D. Vehicle, Repower	\$0.00	Yes
ML11043	City of Hemet Public Works	2/3/2012	2/2/2019		\$60,000.00	\$60,000.00	Purchase 2 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML11044	City of Ontario, Housing & Municipal	1/27/2012	6/26/2019		\$400,000.00	\$400,000.00	Expand Existing CNG Station	\$0.00	Yes
MS11008	USA Waste of California, Inc.	10/24/2013	4/23/2020		\$125,000.00	\$125,000.00	Expansion of Existing LCNG Station	\$0.00	Yes
MS11009	USA Waste of California, Inc.	10/24/2013	4/23/2020		\$125,000.00	\$125,000.00	Expansion of Existing LCNG Station	\$0.00	Yes
MS11010	Border Valley Trading	8/26/2011	10/25/2017	4/25/2020	\$150,000.00	\$150,000.00	New LNG Station	\$0.00	Yes
MS11011	EDCO Disposal Corporation	12/30/2011	4/29/2019		\$100,000.00	\$100,000.00	New CNG Station - Signal Hill	\$0.00	Yes
MS11012	EDCO Disposal Corporation	12/30/2011	4/29/2019		\$100,000.00	\$100,000.00	New CNG Station - Buena Park	\$0.00	Yes
MS11016	CR&R Incorporated	4/12/2013	10/11/2019		\$100,000.00	\$100,000.00	New CNG Station - Perris	\$0.00	Yes
MS11017	CR&R, Inc.	3/2/2012	2/1/2018		\$100,000.00	\$100,000.00	Expansion of existing station - Garden Grove	\$0.00	Yes
MS11019	City of Corona	11/29/2012	4/28/2020		\$225,000.00	\$225,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11055	KEC Engineering	2/3/2012	8/2/2018	8/2/2019	\$200,000.00	\$200,000.00	Repower 5 H.D. Off-Road Vehicles	\$0.00	Yes
MS11060	Rowland Unified School District	8/17/2012	1/16/2019	1/16/2020	\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
MS11066	Torrance Unified School District	11/19/2012	9/18/2018		\$42,296.00	\$42,296.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11067	City of Redlands	5/24/2012	11/23/2018	11/23/2019	\$85,000.00	\$85,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11068	Ryder System Inc.	7/28/2012	10/27/2018		\$175,000.00	\$175,000.00	New Public Access L/CNG Station (Fontana)	\$0.00	Yes
MS11069	Ryder System Inc.	7/28/2012	8/27/2018		\$175,000.00	\$175,000.00	New Public Access L/CNG Station (Orange)	\$0.00	Yes
MS11071	City of Torrance Transit Department	12/22/2012	1/21/2019	1/21/2020	\$175,000.00	\$166,250.00	New Limited Access CNG Station	\$8,750.00	Yes
MS11073	Los Angeles Unified School District	9/11/2015	2/10/2022		\$175,000.00	\$175,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11079	Bear Valley Unified School District	2/5/2013	10/4/2019		\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes

**Total: 32**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
--------	------------	------------	-------------------	------------------	----------------	----------	---------------------	---------------	-------------------

## FY 2011-2012 Contracts

### Open Contracts

ML12014	City of Santa Ana	11/8/2013	8/7/2020		\$384,000.00	\$4,709.00	9 H.D. Nat. Gas & LPG Trucks, EV Charging	\$379,291.00	No
ML12015	City of Fullerton	4/25/2013	11/24/2020		\$40,000.00	\$10,000.00	HD CNG Vehicle, Expand CNG Station	\$30,000.00	No
ML12016	City of Cathedral City	1/4/2013	10/3/2019		\$60,000.00	\$0.00	CNG Vehicle & Electric Vehicle Infrastructur	\$60,000.00	No
ML12017	City of Los Angeles, Bureau of Sanit	6/26/2013	5/25/2020	11/25/2021	\$950,000.00	\$450,000.00	32 H.D. Nat. Gas Vehicles	\$500,000.00	No
ML12018	City of West Covina	10/18/2013	10/17/2020	1/17/2022	\$300,000.00	\$0.00	Expansion of Existing CNG Station	\$300,000.00	No
ML12041	City of Anaheim Public Utilities Depa	4/4/2014	11/3/2015	11/3/2016	\$68,977.00	\$0.00	EV Charging Infrastructure	\$68,977.00	No
ML12043	City of Hemet	6/24/2013	9/23/2019		\$60,000.00	\$0.00	Two Heavy-Duty Nat. Gas Vehicles	\$60,000.00	No
ML12045	City of Baldwin Park DPW	2/14/2014	12/13/2020		\$400,000.00	\$0.00	Install New CNG Station	\$400,000.00	No
ML12046	City of Irvine	8/11/2013	3/10/2021		\$30,000.00	\$0.00	One Heavy-Duty Nat. Gas Vehicle	\$30,000.00	No
ML12048	City of La Palma	1/4/2013	11/3/2018		\$20,000.00	\$0.00	Two Medium-Duty LPG Vehicles	\$20,000.00	No
ML12051	City of Bellflower	2/7/2014	2/6/2016	2/6/2017	\$270,000.00	\$0.00	EV Charging Infrastructure	\$270,000.00	No
ML12057	City of Coachella	8/28/2013	8/27/2019		\$57,456.00	\$0.00	Purchase One Nat. Gas H.D. Vehicle/Street	\$57,456.00	No
ML12090	City of Palm Springs	10/9/2015	10/8/2021		\$21,163.00	\$0.00	EV Charging Infrastructure	\$21,163.00	No
MS12008	Bonita Unified School District	7/12/2013	12/11/2019	4/11/2021	\$175,000.00	\$0.00	Construct New Limited-Access CNG Station	\$175,000.00	No
MS12011	Southern California Gas Company	6/14/2013	6/13/2019	6/13/2020	\$150,000.00	\$0.00	Construct New Public-Access CNG Station -	\$150,000.00	No
MS12024	Southern California Gas Company	6/13/2013	12/12/2019	11/12/2020	\$150,000.00	\$0.00	Construct New Public-Access CNG Station -	\$150,000.00	No
MS12027	C.V. Ice Company, Inc.	5/17/2013	11/16/2019		\$75,000.00	\$0.00	Purchase 3 Medium-Heavy Duty Vehicles	\$75,000.00	No
MS12031	Final Assembly, Inc.	11/2/2012	11/1/2018		\$50,000.00	\$32,446.00	Purchase 2 Medium-Heavy Duty Vehicles	\$17,554.00	No
MS12033	Mike Diamond/Phace Management	12/22/2012	12/21/2018	6/21/2021	\$500,000.00	\$134,010.00	Purchase 20 Medium-Heavy Duty Vehicles	\$365,990.00	No
MS12034	Ware Disposal Company, Inc.	11/2/2012	11/1/2018	11/1/2020	\$133,070.00	\$74,763.00	Purchase 8 Medium-Heavy Duty Vehicles	\$58,307.00	No
MS12060	City of Santa Monica	4/4/2014	8/3/2017		\$500,000.00	\$333,734.27	Implement Westside Bikeshare Program	\$166,265.73	No
MS12067	Leatherwood Construction, Inc.	11/8/2013	3/7/2017		\$122,719.00	\$0.00	Retrofit Six Vehicles w/DECS - Showcase III	\$122,719.00	No
MS12075	CR&R Incorporated	7/27/2013	1/26/2021	1/26/2022	\$100,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$100,000.00	No
MS12077	City of Coachella	6/14/2013	6/13/2020		\$225,000.00	\$0.00	Construct New CNG Station	\$225,000.00	No
MS12080	City of Pasadena	11/8/2013	8/7/2020	8/7/2021	\$225,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$225,000.00	No
MS12083	Brea Olinda Unified School District	7/30/2015	2/29/2024		\$59,454.00	\$0.00	Install New CNG Infrastructure	\$59,454.00	No
MS12084	Airport Mobil Inc.	12/6/2013	5/5/2020		\$150,000.00	\$0.00	Install New CNG Infrastructure	\$150,000.00	No
MS12086	SuperShuttle International, Inc.	3/26/2013	3/25/2019		\$225,000.00	\$202,500.00	Purchase 23 Medium-Heavy Duty Vehicles	\$22,500.00	No
MS12088	Orange County Transportation Autho	12/6/2013	3/5/2016		\$125,000.00	\$18,496.50	Implement Rideshare Incentives Program	\$106,503.50	No
MS12089	Riverside County Transportation Co	10/18/2013	9/17/2015		\$250,000.00	\$105,747.48	Implement Rideshare Incentives Program	\$144,252.52	No
MS12Hom	Mansfield Gas Equipment Systems				\$296,000.00	\$0.00	Home Refueling Apparatus Incentive Progra	\$296,000.00	No

**Total: 31**

### Declined/Cancelled Contracts

ML12038	City of Long Beach Public Works				\$26,000.00	\$0.00	Electric Vehicle Charging Infrastructure	\$26,000.00	No
---------	---------------------------------	--	--	--	-------------	--------	--	-------------	----

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML12040	City of Duarte Transit				\$30,000.00	\$0.00	One Heavy-Duty Nat. Gas Vehicle	\$30,000.00	No
ML12044	County of San Bernardino Public Wo				\$250,000.00	\$0.00	Install New CNG Station	\$250,000.00	No
ML12052	City of Whittier	3/14/2013	7/13/2019		\$165,000.00	\$0.00	Expansion of Existing CNG Station	\$165,000.00	No
ML12053	City of Mission Viejo				\$60,000.00	\$0.00	EV Charging Infrastructure	\$60,000.00	No
MS12007	WestAir Gases & Equipment				\$100,000.00	\$0.00	Construct New Limited-Access CNG Station	\$100,000.00	No
MS12030	Complete Landscape Care, Inc.				\$150,000.00	\$0.00	Purchase 6 Medium-Heavy Duty Vehicles	\$150,000.00	No
MS12070	Valley Music Travel/CID Entertainme				\$99,000.00	\$0.00	Implement Shuttle Service to Coachella Mus	\$99,000.00	No

**Total: 8**

#### Closed Contracts

ML12013	City of Pasadena	10/19/2012	3/18/2015	9/18/2015	\$200,000.00	\$65,065.00	Electric Vehicle Charging Infrastructure	\$134,935.00	Yes
ML12019	City of Palm Springs	9/6/2013	7/5/2015		\$38,000.00	\$16,837.00	EV Charging Infrastructure	\$21,163.00	Yes
ML12021	City of Rancho Cucamonga	9/14/2012	1/13/2020		\$40,000.00	\$40,000.00	Four Medium-Duty Nat. Gas Vehicles	\$0.00	Yes
ML12023	County of Los Angeles Internal Servi	8/1/2013	2/28/2015		\$250,000.00	\$192,333.00	EV Charging Infrastructure	\$57,667.00	Yes
ML12037	Coachella Valley Association of Gov	3/14/2013	3/13/2014		\$250,000.00	\$250,000.00	Street Sweeping Operations	\$0.00	Yes
ML12049	City of Rialto Public Works	7/14/2014	9/13/2015		\$30,432.00	\$3,265.29	EV Charging Infrastructure	\$27,166.71	Yes
ML12050	City of Baldwin Park	4/25/2013	4/24/2014	10/24/2014	\$402,400.00	\$385,363.00	EV Charging Infrastructure	\$17,037.00	Yes
ML12054	City of Palm Desert	9/30/2013	2/28/2015		\$77,385.00	\$77,385.00	EV Charging Infrastructure	\$0.00	Yes
ML12056	City of Cathedral City	3/26/2013	5/25/2014		\$25,000.00	\$25,000.00	Regional Street Sweeping Program	\$0.00	Yes
ML12066	City of Manhattan Beach	1/7/2014	4/6/2015		\$5,900.00	\$5,900.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
MS12001	Los Angeles County MTA	7/1/2012	4/30/2013		\$300,000.00	\$211,170.00	Clean Fuel Transit Service to Dodger Stadiu	\$88,830.00	Yes
MS12002	Orange County Transportation Autho	9/7/2012	4/30/2013		\$342,340.00	\$333,185.13	Express Bus Service to Orange County Fair	\$9,154.87	Yes
MS12003	Orange County Transportation Autho	7/20/2012	2/28/2013		\$234,669.00	\$167,665.12	Implement Metrolink Service to Angel Stadiu	\$67,003.88	Yes
MS12005	USA Waste of California, Inc.	10/19/2012	8/18/2013		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12006	Waste Management Collection & Re	10/19/2012	8/18/2013		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12012	Rim of the World Unified School Dist	12/20/2012	5/19/2014		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12059	Orange County Transportation Autho	2/28/2013	12/27/2014		\$75,000.00	\$75,000.00	Maintenance Facilities Modifications	\$0.00	Yes
MS12061	Orange County Transportation Autho	3/14/2014	3/13/2017		\$224,000.00	\$114,240.00	Transit-Oriented Bicycle Sharing Program	\$109,760.00	Yes
MS12062	Fraser Communications	12/7/2012	5/31/2014		\$998,669.00	\$989,218.49	Develop & Implement "Rideshare Thursday"	\$9,450.51	Yes
MS12064	Anaheim Transportation Network	3/26/2013	12/31/2014		\$127,296.00	\$56,443.92	Implement Anaheim Circulator Service	\$70,852.08	Yes
MS12065	Orange County Transportation Autho	7/27/2013	11/30/2013		\$43,933.00	\$14,832.93	Ducks Express Service to Honda Center	\$29,100.07	Yes
MS12068	Southern California Regional Rail Au	3/1/2013	9/30/2013		\$57,363.00	\$47,587.10	Implement Metrolink Service to Autoclub Sp	\$9,775.90	Yes
MS12069	City of Irvine	8/11/2013	2/28/2014		\$45,000.00	\$26,649.41	Implement Special Transit Service to Solar	\$18,350.59	Yes
MS12076	City of Ontario, Housing & Municipal	3/8/2013	4/7/2015		\$75,000.00	\$75,000.00	Maintenance Facilities Modification	\$0.00	Yes
MS12078	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$73,107.00	Maintenance Facility Modifications - Vernon	\$1,893.00	Yes
MS12081	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$75,000.00	Maintenance Facility Modifications - Santa A	\$0.00	Yes
MS12085	Bear Valley Unified School District	4/25/2013	6/24/2014		\$75,000.00	\$75,000.00	Maintenance Facility Modifications	\$0.00	Yes
MS12087	Los Angeles County MTA	8/29/2013	11/28/2015		\$125,000.00	\$125,000.00	Implement Rideshare Incentives Program	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>Total: 28</b>									
<b>Closed/Incomplete Contracts</b>									
MS12079	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$0.00	Maintenance Facility Modifications - Boyle H	\$75,000.00	No
<b>Total: 1</b>									
<b>Open/Complete Contracts</b>									
ML12020	City of Los Angeles, Department of	9/27/2012	3/26/2019	3/26/2020	\$450,000.00	\$450,000.00	15 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML12022	City of La Puente	12/6/2013	6/5/2020		\$110,000.00	\$110,000.00	2 Medium-Duty and Three Heavy-Duty CNG	\$0.00	Yes
ML12039	City of Redlands	2/8/2013	10/7/2019		\$90,000.00	\$90,000.00	Three Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML12042	City of Chino Hills	1/18/2013	3/17/2017		\$87,500.00	\$87,500.00	Expansion of Existing CNG Station	\$0.00	Yes
ML12047	City of Orange	2/1/2013	1/31/2019		\$30,000.00	\$30,000.00	One Heavy-Duty Nat. Gas Vehicle	\$0.00	Yes
ML12055	City of Manhattan Beach	3/1/2013	12/31/2018		\$10,000.00	\$10,000.00	One Medium-Duty Nat. Gas Vehicle	\$0.00	Yes
MS12004	USA Waste of California, Inc.	10/24/2013	11/23/2019		\$175,000.00	\$175,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12009	Sysco Food Services of Los Angeles	1/7/2014	4/6/2020		\$150,000.00	\$150,000.00	Construct New Public-Access LNG Station	\$0.00	Yes
MS12010	Murrieta Valley Unified School Distric	4/5/2013	9/4/2019		\$242,786.00	\$242,786.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12025	Silverado Stages, Inc.	11/2/2012	7/1/2018		\$150,000.00	\$150,000.00	Purchase Six Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12026	U-Haul Company of California	3/14/2013	3/13/2019		\$500,000.00	\$353,048.26	Purchase 23 Medium-Heavy Duty Vehicles	\$146,951.74	Yes
MS12028	Dy-Dee Service of Pasadena, Inc.	12/22/2012	1/21/2019		\$45,000.00	\$40,000.00	Purchase 2 Medium-Duty and 1 Medium-He	\$5,000.00	Yes
MS12029	Community Action Partnership of Or	11/2/2012	11/1/2018		\$25,000.00	\$14,850.00	Purchase 1 Medium-Heavy Duty Vehicle	\$10,150.00	Yes
MS12032	Fox Transportation	12/14/2012	12/13/2018		\$500,000.00	\$500,000.00	Purchase 20 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12035	Disneyland Resort	1/4/2013	7/3/2019		\$25,000.00	\$18,900.00	Purchase 1 Medium-Heavy Duty Vehicle	\$6,100.00	Yes
MS12036	Jim & Doug Carter's Automotive/VS	1/4/2013	11/3/2018		\$50,000.00	\$50,000.00	Purchase 2 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12058	Krisda Inc	4/24/2013	1/23/2019		\$25,000.00	\$25,000.00	Repower One Heavy-Duty Off-Road Vehicle	\$0.00	Yes
MS12063	Custom Alloy Light Metals, Inc.	8/16/2013	2/15/2020		\$100,000.00	\$100,000.00	Install New Limited Access CNG Station	\$0.00	Yes
MS12071	Transit Systems Unlimited, Inc.	5/17/2013	12/16/2018		\$21,250.00	\$21,250.00	Expansion of Existing CNG Station	\$0.00	Yes
MS12072	99 Cents Only Stores	4/5/2013	9/4/2019		\$100,000.00	\$100,000.00	Construct New CNG Station	\$0.00	Yes
MS12073	FirstCNG, LLC	7/27/2013	12/26/2019		\$150,000.00	\$150,000.00	Construct New CNG Station	\$0.00	Yes
MS12074	Arcadia Unified School District	7/5/2013	9/4/2019		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS12082	City of Los Angeles, Bureau of Sanit	11/20/2013	2/19/2021		\$175,000.00	\$175,000.00	Install New CNG Infrastructure	\$0.00	Yes
<b>Total: 23</b>									



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>FY 2012-2014 Contracts</b>									
<b>Open Contracts</b>									
ML14012	City of Santa Ana	2/13/2015	10/12/2021		\$244,000.00	\$0.00	EV Charging and 7 H.D. LPG Vehicles	\$244,000.00	No
ML14014	City of Torrance	9/5/2014	12/4/2019		\$56,000.00	\$0.00	EV Charging Infrastructure	\$56,000.00	No
ML14016	City of Anaheim	4/3/2015	9/2/2021		\$380,000.00	\$0.00	Purchase 2 H.D. Vehicles, Expansion of Exi	\$380,000.00	No
ML14018	City of Los Angeles, Department of	3/6/2015	9/5/2021		\$810,000.00	\$0.00	Purchase 27 H.D. Nat. Gas Vehicles	\$810,000.00	No
ML14019	City of Corona Public Works	12/5/2014	6/4/2020	6/4/2022	\$178,263.00	\$0.00	EV Charging, Bicycle Racks, Bicycle Locker	\$178,263.00	No
ML14021	Riverside County Regional Park and	7/24/2014	12/23/2016		\$250,000.00	\$0.00	Bicycle Trail Improvements	\$250,000.00	No
ML14022	County of Los Angeles Department o	10/2/2015	5/1/2022		\$300,000.00	\$0.00	Purchase 10 H.D. Nat. Gas Vehicles	\$300,000.00	No
ML14023	County of Los Angeles Department o	10/2/2015	9/1/2017		\$230,000.00	\$0.00	Maintenance Fac. Modifications-Westcheste	\$230,000.00	No
ML14024	County of Los Angeles Department o	10/2/2015	9/1/2017		\$230,000.00	\$0.00	Maintenance Fac. Modifications-Baldwin Par	\$230,000.00	No
ML14025	County of Los Angeles Dept of Publi	10/2/2015	7/1/2018		\$300,000.00	\$0.00	Construct New CNG Station in Malibu	\$300,000.00	No
ML14026	County of Los Angeles Dept of Publi	10/2/2015	5/1/2023		\$300,000.00	\$0.00	Construct New CNG Station in Castaic	\$300,000.00	No
ML14027	County of Los Angeles Dept of Publi	10/2/2015	5/1/2023		\$500,000.00	\$0.00	Construct New CNG Station in Downey	\$500,000.00	No
ML14028	City of Fullerton	9/5/2014	1/4/2022		\$126,950.00	\$0.00	Expansion of Existing CNG Infrastructure	\$126,950.00	No
ML14029	City of Irvine	7/11/2014	6/10/2017		\$90,500.00	\$0.00	Bicycle Trail Improvements	\$90,500.00	No
ML14030	County of Los Angeles Internal Servi	1/9/2015	3/8/2018		\$425,000.00	\$0.00	Bicycle Racks, Outreach & Education	\$425,000.00	No
ML14031	Riverside County Waste Manageme	6/13/2014	12/12/2020		\$90,000.00	\$0.00	Purchase 3 H.D. CNG Vehicles	\$90,000.00	No
ML14033	City of Irvine	7/11/2014	2/10/2021		\$60,000.00	\$0.00	Purchase 2 H.D. CNG Vehicles	\$60,000.00	No
ML14034	City of Lake Elsinore	9/5/2014	5/4/2021		\$56,700.00	\$0.00	EV Charging Stations	\$56,700.00	No
ML14049	City of Moreno Valley	7/11/2014	3/10/2021		\$105,000.00	\$30,000.00	One HD Nat Gas Vehicle, EV Charging, Bicy	\$75,000.00	No
ML14050	City of Yucaipa	7/11/2014	9/10/2015	7/1/2016	\$84,795.00	\$0.00	Installation of Bicycle Lanes	\$84,795.00	No
ML14051	City of Brea	9/5/2014	1/4/2017		\$450,000.00	\$0.00	Installation of Bicycle Trail	\$450,000.00	No
ML14054	City of Torrance	11/14/2014	4/13/2017		\$350,000.00	\$0.00	Upgrade Maintenance Facility	\$350,000.00	No
ML14055	City of Highland	10/10/2014	3/9/2018		\$500,000.00	\$0.00	Bicycle Lanes and Outreach	\$500,000.00	No
ML14056	City of Redlands	9/5/2014	5/4/2016	5/4/2017	\$125,000.00	\$0.00	Bicycle Lanes	\$125,000.00	No
ML14062	City of San Fernando	3/27/2015	5/26/2021		\$387,091.00	\$0.00	Expand Existing CNG Fueling Station	\$387,091.00	No
ML14064	City of Claremont	7/11/2014	7/10/2020	1/10/2021	\$60,000.00	\$60,000.00	Purchase Two Heavy-Duty Nat. Gas Vehicle	\$0.00	No
ML14066	City of South Pasadena	9/12/2014	7/11/2016		\$142,096.00	\$0.00	Bicycle Trail Improvements	\$142,096.00	No
ML14067	City of Duarte Transit	12/4/2015	1/3/2023		\$60,000.00	\$0.00	Purchase Two Heavy-Duty Nat. Gas Vehicle	\$60,000.00	No
ML14068	City of South Pasadena	9/12/2014	10/11/2015	7/11/2016	\$10,183.00	\$0.00	Electric Vehicle Charging Infrastructure	\$10,183.00	No
ML14071	City of Manhattan Beach	1/9/2015	11/8/2018		\$22,485.00	\$0.00	Electric Vehicle Charging Infrastructure	\$22,485.00	No
ML14072	City of Cathedral City	8/13/2014	1/12/2021		\$136,000.00	\$0.00	Medium & H.D. Vehicles, EV Charging, Bike	\$136,000.00	No
ML14093	County of Los Angeles Dept of Publi	8/14/2015	1/13/2019		\$150,000.00	\$0.00	San Gabriel BikeTrail Underpass Improveme	\$150,000.00	No
MS14001	Los Angeles County MTA	3/6/2015	4/30/2015		\$1,216,637.00	\$0.00	Clean Fuel Transit Service to Dodger Stadiu	\$1,216,637.00	No
MS14039	Waste Management Collection and	7/10/2015	4/9/2016		\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Irvine	\$75,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS14040	Waste Management Collection and	7/10/2015	4/9/2016		\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Santa An	\$75,000.00	No
MS14041	USA Waste of California, Inc.	9/4/2015	10/3/2021		\$175,000.00	\$0.00	Limited-Access CNG Station, Vehicle Maint.	\$175,000.00	No
MS14042	Grand Central Recycling & Transfer	6/6/2014	9/5/2021		\$150,000.00	\$0.00	Expansion of Existing CNG Station	\$150,000.00	No
MS14046	Ontario CNG Station Inc.	5/15/2014	5/14/2020	5/14/2021	\$150,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$150,000.00	No
MS14053	Upland Unified School District	1/9/2015	7/8/2021		\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS14057	Los Angeles County MTA	11/7/2014	10/6/2019		\$1,250,000.00	\$0.00	Implement Various Signal Synchronization P	\$1,250,000.00	No
MS14058	Orange County Transportation Autho	11/7/2014	4/6/2016	10/6/2016	\$1,250,000.00	\$0.00	Implement Various Signal Synchronization P	\$1,250,000.00	No
MS14059	Riverside County Transportation Co	9/5/2014	3/4/2018		\$1,250,000.00	\$0.00	Implement Various Signal Synchronization P	\$1,250,000.00	No
MS14072	San Bernardino Associated Governm	3/27/2015	3/26/2018		\$1,250,000.00	\$0.00	Implement Various Signal Synchronization P	\$1,250,000.00	No
MS14073	Anaheim Transportation Network	1/9/2015	4/30/2017		\$221,312.00	\$179,039.78	Anaheim Resort Circulator Service	\$42,272.22	No
MS14074	Midway City Sanitary District	1/9/2015	3/8/2021		\$250,000.00	\$250,000.00	Limited-Access CNG Station & Facility Modif	\$0.00	No
MS14076	Rialto Unified School District	6/17/2015	2/16/2022		\$225,000.00	\$0.00	New Public Access CNG Station	\$225,000.00	No
MS14077	County Sanitation Districts of L.A. Co	3/6/2015	5/5/2021		\$175,000.00	\$0.00	New Limited Access CNG Station	\$175,000.00	No
MS14078	American Honda Motor Co., Inc.	9/4/2015	8/3/2022		\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS14080	CR&R Incorporated	6/1/2015	8/31/2021	8/31/2022	\$200,000.00	\$0.00	Expansion of Existing CNG Infrastructure/Ma	\$200,000.00	No
MS14081	CR&R Incorporated	6/1/2015	5/30/2021		\$175,000.00	\$90,000.00	Expansion of Existing CNG Infrastructure/Ma	\$85,000.00	No
MS14082	Grand Central Recycling & Transfer	12/4/2015	3/3/2023		\$150,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$150,000.00	No
MS14083	Hacienda La Puente Unified School	7/10/2015	3/9/2022		\$175,000.00	\$0.00	New Limited Access CNG Station	\$175,000.00	No
MS14084	US Air Conditioning Distributors	5/7/2015	9/6/2021		\$100,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$100,000.00	No
MS14087	Orange County Transportation Autho	8/14/2015	4/30/2016		\$239,645.00	\$0.00	Implement Special Metrolink Service to Ang	\$239,645.00	No
MS14089	Top Shelf Consulting, LLC	2/5/2015	8/4/2016	12/31/2016	\$200,000.00	\$190,000.00	Enhanced Fleet Modernization Program	\$10,000.00	No
MS14090	City of Monterey Park	5/7/2015	5/6/2021		\$225,000.00	\$186,857.60	Expansion of Existing CNG Infrastructure	\$38,142.40	No
MS16030	The Better World Group	12/19/2015	12/31/2017		\$120,000.00	\$0.00	Programmic Outreach Services to the MSR	\$120,000.00	No

**Total: 57**

**Pending Execution Contracts**

ML14013	City of Los Angeles, Bureau of Sanit				\$400,000.00	\$0.00	Purchase 128 H.D. Nat. Gas Vehicles	\$400,000.00	No
ML14060	County of Los Angeles Internal Servi				\$104,400.00	\$0.00	Electric Vehicle Charging Infrastructure	\$104,400.00	No
ML14061	City of La Habra				\$60,000.00	\$0.00	Purchase Two Heavy-Duty Nat. Gas Vehicle	\$60,000.00	No
ML14069	City of Beaumont				\$200,000.00	\$0.00	Construct New CNG Infrastructure	\$200,000.00	No
ML14070	City of Rancho Cucamonga				\$365,245.00	\$0.00	Bicycle Trail Improvements	\$365,245.00	No
MS14035	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Sun Valle	\$75,000.00	No
MS14036	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - La Mirad	\$75,000.00	No
MS14037	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Carson	\$75,000.00	No
MS14038	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Fontana	\$75,000.00	No
MS14075	Fullerton Joint Union High School Di				\$300,000.00	\$0.00	Expansion of Existing CNG Infrastructure/Ma	\$300,000.00	No
MS14079	Waste Resources, Inc.				\$100,000.00	\$0.00	New Limited Access CNG Station	\$100,000.00	No
MS14085	Prologis, L.P.				\$100,000.00	\$0.00	New Limited Access CNG Station	\$100,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS14086	San Gabriel Valley Towing I				\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS14092	West Covina Unified School District				\$124,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$124,000.00	No

**Total: 14**

**Declined/Cancelled Contracts**

ML14063	City of Hawthorne				\$32,000.00	\$0.00	Expansion of Existng CNG Infrastructure	\$32,000.00	No
MS14043	City of Anaheim				\$175,000.00	\$0.00	Expansion of Existing CNG Station	\$175,000.00	No
MS14091	Serv-Wel Disposal				\$100,000.00	\$0.00	New Limited-Access CNG Infrastructure	\$100,000.00	No

**Total: 3**

**Closed Contracts**

ML14010	City of Cathedral City	8/13/2014	10/12/2015		\$25,000.00	\$25,000.00	Street Sweeping Operations	\$0.00	Yes
ML14011	City of Palm Springs	6/13/2014	1/12/2016		\$79,000.00	\$78,627.00	Bicycle Racks, Bicycle Outreach & Educatio	\$373.00	Yes
ML14015	Coachella Valley Association of Gov	6/6/2014	9/5/2015		\$250,000.00	\$250,000.00	Street Sweeping Operations	\$0.00	Yes
ML14020	County of Los Angeles Dept of Publi	8/13/2014	1/12/2018		\$150,000.00	\$0.00	San Gabriel BikeTrail Underpass Improveme	\$150,000.00	No
ML14065	City of Orange	9/5/2014	8/4/2015		\$10,000.00	\$10,000.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
MS14002	Orange County Transportation Autho	9/6/2013	4/30/2014		\$576,833.00	\$576,833.00	Clean Fuel Transit Service to Orange Count	\$0.00	Yes
MS14003	Orange County Transportation Autho	8/1/2013	4/30/2014	10/30/2014	\$194,235.00	\$184,523.00	Implement Metrolink Service to Angel Stadiu	\$9,712.00	Yes
MS14004	Orange County Transportation Autho	9/24/2013	4/30/2014		\$36,800.00	\$35,485.23	Implement Express Bus Service to Solar De	\$1,314.77	Yes
MS14005	Transit Systems Unlimited, Inc.	4/11/2014	2/28/2016		\$515,200.00	\$511,520.00	Provide Expanded Shuttle Service to Hollyw	\$3,680.00	Yes
MS14007	Orange County Transportation Autho	6/6/2014	4/30/2015		\$208,520.00	\$189,622.94	Implement Special Metrolink Service to Ang	\$18,897.06	Yes
MS14008	Orange County Transportation Autho	8/13/2014	5/31/2015		\$601,187.00	\$601,187.00	Implement Clean Fuel Bus Service to Orang	\$0.00	Yes
MS14009	A-Z Bus Sales, Inc.	1/17/2014	12/31/2014	3/31/2015	\$388,000.00	\$388,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS14047	Southern California Regional Rail Au	3/7/2014	9/30/2014		\$49,203.00	\$32,067.04	Special Metrolink Service to Autoclub Speed	\$17,135.96	Yes
MS14048	BusWest	3/14/2014	12/31/2014	5/31/2015	\$940,850.00	\$847,850.00	Alternative Fuel School Bus Incentive Progra	\$93,000.00	Yes
MS14088	Southern California Regional Rail Au	5/7/2015	9/30/2015		\$79,660.00	\$66,351.44	Special Metrolink Service to Autoclub Speed	\$13,308.56	Yes

**Total: 15**

**Open/Complete Contracts**

ML14032	City of Rancho Cucamonga	1/9/2015	1/8/2022		\$113,990.00	\$104,350.63	Expansion of Existing CNG Infras., Bicycle L	\$9,639.37	Yes
MS14044	TIMCO CNG Fund I, LLC	5/2/2014	11/1/2020		\$150,000.00	\$150,000.00	New Public-Access CNG Station in Santa A	\$0.00	Yes
MS14045	TIMCO CNG Fund I, LLC	6/6/2014	12/5/2020		\$150,000.00	\$150,000.00	New Public-Access CNG Station in Inglewoo	\$0.00	Yes
MS14052	Arcadia Unified School District	6/13/2014	10/12/2020		\$78,000.00	\$78,000.00	Expansion of an Existing CNG Fueling Statio	\$0.00	Yes

**Total: 4**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>FY 2014-2016 Contracts</b>									
<b>Open Contracts</b>									
ML16007	City of Culver City Transportation De	10/6/2015	4/5/2023		\$246,000.00	\$0.00	Purchase 7 H.D. Nat. Gas Vehicles, EV Cha	\$246,000.00	No
ML16009	City of Fountain Valley	10/6/2015	2/5/2018		\$46,100.00	\$0.00	Install EV Charging Infrastructure	\$46,100.00	No
ML16011	City of Claremont	10/6/2015	6/5/2022		\$90,000.00	\$0.00	Purchase 3 Heavy-Duty Nat. Gas Vehicles	\$90,000.00	No
ML16012	City of Carson	1/15/2016	10/14/2022		\$60,000.00	\$0.00	Purchase 2 Heavy-Duty Nat. Gas Vehicles	\$60,000.00	No
ML16013	City of Monterey Park	12/4/2015	7/3/2022		\$90,000.00	\$0.00	Purchase 3 Heavy-Duty Nat. Gas Vehicles	\$90,000.00	No
ML16016	City of Los Angeles, Department of	2/5/2016	12/4/2022		\$630,000.00	\$0.00	Purchase 21 Heavy-Duty Nat. Gas Vehicles	\$630,000.00	No
ML16017	City of Long Beach	2/5/2016	8/4/2023		\$1,445,400.00	\$0.00	Purchase 48 Medium-Duty, 16 H.D. Nat. Ga	\$1,445,400.00	No
ML16023	City of Banning	12/11/2015	12/10/2021		\$30,000.00	\$0.00	Purchase 1 H.D. Nat. Gas Vehicle	\$30,000.00	No
ML16027	City of Whittier	1/8/2016	11/7/2022		\$30,000.00	\$0.00	Purchase 1 H.D. Nat. Gas Vehicle	\$30,000.00	No
ML16031	City of Cathedral City	12/19/2015	2/18/2017		\$25,000.00	\$0.00	Street Sweeping in Coachella Valley	\$25,000.00	No
ML16037	City of Rancho Cucamonga	2/5/2016	11/4/2022		\$30,000.00	\$0.00	Purchase One Heavy-Duty Natural Gas Vehi	\$30,000.00	No
ML16051	City of South Pasadena	2/12/2016	1/11/2017		\$320,000.00	\$0.00	Implement "Open Streets" Event with Variou	\$320,000.00	No
ML16060	City of Cudahy	2/5/2016	10/4/2017		\$73,910.00	\$0.00	Implement an "Open Streets" Event	\$73,910.00	No
MS16002	Orange County Transportation Autho	10/6/2015	5/31/2016		\$722,266.00	\$0.00	Clean Fuel Transit Service to Orange Count	\$722,266.00	No
MS16004	Mineral LLC	9/4/2015	7/3/2017		\$25,890.00	\$3,000.00	Design, Develop, Host and Maintain MSRC	\$22,890.00	No
<b>Total: 15</b>									
<b>Pending Execution Contracts</b>									
ML16005	City of Palm Springs				\$40,000.00	\$0.00	Install Bicycle Racks, and Implement Bicycl	\$40,000.00	No
ML16006	City of Cathedral City				\$55,000.00	\$0.00	Purchase 1 H.D. Nat. Gas Vehicle, Bicycle	\$55,000.00	No
ML16008	City of Pomona				\$310,000.00	\$0.00	Purchase 4 Medium-Duty and 9 Heavy-Duty	\$310,000.00	No
ML16010	City of Fullerton				\$370,500.00	\$0.00	Expand Existing CNG Station, EV Charging I	\$370,500.00	No
ML16014	City of Dana Point				\$153,818.00	\$0.00	Extend an Existing Class 1 Bikeway	\$153,818.00	No
ML16015	City of Yorba Linda				\$85,000.00	\$0.00	Install Bicycle Lanes	\$85,000.00	No
ML16018	City of Hermosa Beach				\$29,520.00	\$0.00	Purchase 2 M.D. Nat. Gas Vehicles, Bicycle	\$29,520.00	No
ML16019	City of Los Angeles, Dept of General				\$102,955.00	\$0.00	Install EV Charging Infrastructure	\$102,955.00	No
ML16020	City of Pomona				\$440,000.00	\$0.00	Install Road Surface Bicycle Detection Syste	\$440,000.00	No
ML16021	City of Santa Clarita				\$49,400.00	\$0.00	Install EV Charging Infrastructure	\$49,400.00	No
ML16022	Los Department of Water and Power				\$390,000.00	\$0.00	Purchase 13 H.D. Nat. Gas Vehicles	\$390,000.00	No
ML16024	City of Azusa				\$30,000.00	\$0.00	Purchase 1 H.D. Nat. Gas Vehicle	\$30,000.00	No
ML16025	City of South Pasadena				\$210,535.00	\$0.00	Purchase 2 H.D. Nat. Gas Vehicles, Expand	\$210,535.00	No
ML16026	City of Downey				\$40,000.00	\$0.00	Install EV Charging Infrastructure	\$40,000.00	No
ML16028	City of Azusa				\$25,000.00	\$0.00	Enhance Existing Class 1 Bikeway	\$25,000.00	No
ML16032	City of Azusa				\$474,925.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$474,925.00	No
ML16033	Coachella Valley Association of Gov				\$250,000.00	\$0.00	Street Sweeping Operations in Coachella Va	\$250,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML16034	City of Riverside				\$500,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$500,000.00	No
ML16035	City of Wildomar				\$500,000.00	\$0.00	Install Bicycle Lanes	\$500,000.00	No
ML16036	City of Brea				\$500,000.00	\$0.00	Install a Class 1 Bikeway	\$500,000.00	No
ML16038	City of Palm Springs				\$230,000.00	\$0.00	Install Bicycle Lanes	\$230,000.00	No
ML16039	City of Torrance Transit Department				\$32,000.00	\$0.00	Install EV Charging Infrastructure	\$32,000.00	No
ML16040	City of Eastvale				\$110,000.00	\$0.00	Install EV Charging Infrastructure	\$110,000.00	No
ML16041	City of Moreno Valley				\$20,000.00	\$0.00	Install EV Charging Infrastructure	\$20,000.00	No
ML16042	City of San Dimas				\$55,000.00	\$0.00	Install EV Charging Infrastructure	\$55,000.00	No
ML16045	City of Anaheim				\$275,000.00	\$0.00	Maintenance Facility Modifications	\$275,000.00	No
ML16046	City of El Monte				\$33,000.00	\$0.00	Install EV Charging Infrastructure	\$33,000.00	No
ML16047	City of Fontana				\$500,000.00	\$0.00	Enhance an Existing Class 1 Bikeway	\$500,000.00	No
ML16048	City of Placentia				\$90,000.00	\$0.00	Install a Bicycle Locker and EV Charging Infr	\$90,000.00	No
ML16049	City of Buena Park				\$429,262.00	\$0.00	Installation of a Class 1 Bikeway	\$429,262.00	No
ML16050	City of Westminster				\$115,000.00	\$0.00	Installation of EV Charging Infrastructure	\$115,000.00	No
ML16052	City of Rancho Cucamonga				\$315,576.00	\$0.00	Install Two Class 1 Bikeways	\$315,576.00	No
ML16053	City of Claremont				\$498,750.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$498,750.00	No
ML16054	City of Yucaipa				\$120,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$120,000.00	No
ML16055	City of Ontario				\$270,000.00	\$0.00	Purchas Nine Heavy-Duty Natural-Gas Vehi	\$270,000.00	No
ML16056	City of Ontario				\$150,000.00	\$0.00	Expansion of an Existing CNG Station	\$150,000.00	No
ML16057	City of Yucaipa				\$380,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$380,000.00	No
ML16058	Los Angeles County Department of P				\$491,898.00	\$0.00	Purchase 15 H.D. Nat. Gas Vehicles and Ins	\$491,898.00	No
ML16059	City of Burbank				\$180,000.00	\$0.00	Purchase 6 H.D. Nat. Gas Vehicles	\$180,000.00	No
ML16061	City of Murrieta				\$11,642.00	\$0.00	Installation of EV Charging Infrastructure	\$11,642.00	No
ML16062	City of Colton, Electric Department				\$25,000.00	\$0.00	Installation of EV Charging Infrastructure	\$25,000.00	No
ML16063	City of Glendora				\$30,000.00	\$0.00	Purchase One H.D. Nat. Gas Vehicle	\$30,000.00	No
ML16064	County of Orange, OC Parks				\$204,073.00	\$0.00	Implement "Open Streets" Events with Vario	\$204,073.00	No
ML16065	City of Temple City				\$500,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$500,000.00	No
ML16066	City of Long Beach				\$75,050.00	\$0.00	Implement an "Open Streets" Event	\$75,050.00	No
ML16067	City of South El Monte				\$73,329.00	\$0.00	Implement an "Open Streets" Event	\$73,329.00	No
ML16068	Riverside County Dept of Public Heal				\$171,648.00	\$0.00	Implement an "Open Streets" Events with V	\$171,648.00	No
ML16069	City of West Covina				\$54,199.00	\$0.00	Installation of EV Charging Infrastructure	\$54,199.00	No
ML16070	City of Beverly Hills				\$90,000.00	\$0.00	Purchase 3 H.D. Nat. Gas Vehicles	\$90,000.00	No
ML16071	City of Highland				\$264,500.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$264,500.00	No
ML16072	City of Palm Desert				\$56,000.00	\$0.00	Installation of EV Charging Infrastructure	\$56,000.00	No
ML16073	City of Long Beach				\$50,000.00	\$0.00	Implement an "Open Streets" Event	\$50,000.00	No
ML16074	City of La Verne				\$365,000.00	\$0.00	Install CNG Fueling Station	\$365,000.00	No
ML16075	City of San Fernando				\$354,000.00	\$0.00	Install a Class 1 Bikeway	\$354,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML16076	City of San Fernando				\$100,000.00	\$0.00	Install EV Charging Infrastructure	\$100,000.00	No
ML16077	City of Rialto				\$463,216.00	\$0.00	Pedestrian Access Improvements, Bicycle L	\$463,216.00	No
ML16078	City of Moreno Valley				\$32,800.00	\$0.00	Install Bicycle Infrastructure & Implement Bi	\$32,800.00	No
ML16079	City of Yucaipa				\$5,000.00	\$0.00	Purchase Electric Lawnmower	\$5,000.00	No
ML16083	City of El Monte				\$57,210.00	\$0.00	Install EV Charging Infrastructure	\$57,210.00	No
MS16001	Los Angeles County MTA				\$1,350,000.00	\$0.00	Clean Fuel Transit Service to Dodger Stadiu	\$1,350,000.00	No
MS16029	Orange County Transportation Autho				\$943,643.00	\$0.00	Transportation Control Measure Partnership	\$943,643.00	No
MS16043	LBA Realty Company LLC				\$100,000.00	\$0.00	Install Limited-Access CNG Station	\$100,000.00	No
MS16080	Riverside Country Transportation Co				\$1,200,000.00	\$0.00	Passenger Rail Service for Coachella and St	\$1,200,000.00	No
MS16081	EDCO Disposal Corporation				\$150,000.00	\$135,000.00	Expansion of Existing Public Access CNG St	\$15,000.00	No
MS16082	Riverside County Transportation Co				\$590,759.00	\$0.00	Extended Freeway Service Patrols	\$590,759.00	No
MS16084	Transit Systems Unlimited, Inc.				\$565,600.00	\$0.00	Implement Special Shuttle Service from Uni	\$565,600.00	No
MS16085	Southern California Regional Rail Au				\$78,033.00	\$0.00	Special MetroLink Service to Autoclub Spee	\$78,033.00	No
MS16086	San Bernardino Associated Governm				\$800,625.00	\$0.00	Freeway Service Patrols	\$800,625.00	No

**Total: 68**

**Closed Contracts**

MS16003	Special Olympics World Games Los	10/9/2015	12/30/2015		\$380,304.00	\$380,304.00	Low-Emission Transportation Service for Sp	\$0.00	Yes
---------	----------------------------------	-----------	------------	--	--------------	--------------	--	--------	-----

**Total: 1**

 [Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 24

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board met on March 17, 2016, in El Monte, CA, and continued the meeting on March 24, 2016, in Sacramento, CA. The following is a summary of this meeting.

RECOMMENDED ACTION:  
Receive and File.

Judith Mitchell, Member  
SCAQMD Governing Board

sm

---

The Air Resources Board's (ARB or Board) March meeting was held on March 17, 2016 in El Monte at the Air Resources Board's El Monte Facility, and continued on March 24, 2016 in Sacramento at the Byron Sher Auditorium. Key items presented are summarized below.

---

#### Informal Discussion

---

The Board had an informal discussion pertaining to the South Coast Air Quality Management District Board's December 2015 adoption of amendments to its market-based RECLAIM program. In response to Board member questions, Executive Officer Richard Corey summarized concerns with the amendments and the role that RECLAIM plays in the South Coast's upcoming Air Quality Management Plan (AQMP) for meeting particulate matter and ozone standards. Mr. Corey also described ARB's oversight responsibilities under the Health and Safety code. Board members requested that staff keep the Board apprised of progress in reviewing the RECLAIM amendments and the development of the AQMP.

Discussion Items

---

**1. Informational Update on How Mobile Source Regulations are Implemented**

The Board heard an overview of the comprehensive process involved in implementing mobile source regulations and realizing the emissions benefits once a regulation has been adopted by the Board. Staff discussed the latest innovations in implementation addressing new vehicle technologies and advancements in vehicle evaluations, such as On-Board Diagnostics II (OBDII), which reduces emissions by identifying vehicles with malfunctioning emission controls and pinpointing component defects. Staff also discussed how ARB's In-Depth Laboratory Testing and Field Evaluations verify manufacture warranties and support programs such as the Retrofit Verification Program, an important component of the Truck and Bus rule and other ARB fleet rules.

**2. Public Meeting to Consider Recommending a Site for the Proposed Southern California Consolidation Project**

The Board considered sites for the proposed new motor vehicle emission testing laboratory in Southern California. Two possible sites, Pomona and Riverside, were evaluated in detail and staff presented its recommendation for the Pomona site. After the close of public comment, the Board voted to continue their deliberations on the matter to a meeting on March 24, 2016 at 10:00 a.m. in Sacramento.

The Board held a continued public meeting on March 24, 2016, to allow the Board to consider the staff recommendation of a site for the proposed Southern California Consolidation Project. Public comment was not re-opened at this meeting. Following the Board's deliberation on the two possible sites, Pomona and Riverside, the Board voted 8-3 in favor of the Riverside location. The Board's recommendation will be forwarded to the Joint Legislative Budget Committee for a 30-day review period.

---

**Attachments**

CARB March 17 & 24, 2016 Meeting Agendas



**LOCATION:**

California Air Resources Board  
Auditorium, Annex 4  
9530 Telstar Avenue  
El Monte, California 91731

**PUBLIC MEETING AGENDA**

**March 17, 2016  
(El Monte)**

**[Webcast](#)**

This facility is accessible by public transit. For transit information, call: (800) 743-3463,  
<http://www.foothilltransit.org/>  
(This facility is accessible to persons with disabilities.)

**TO SUBMIT WRITTEN COMMENTS ON AN  
AGENDA ITEM IN ADVANCE OF THE MEETING GO  
TO: <http://www.arb.ca.gov/lispub/comm/bclist.php>**

**Thursday  
March 17, 2016  
9:00 a.m.**

**DISCUSSION ITEMS:**

**Note:** These agenda items may be heard in a different order at the Board meeting.

**Agenda Item #**

**16-3-1: Informational Update on How Mobile Source Regulations are Implemented**

*The Board will hear an overview of the comprehensive process involved in implementing mobile source regulations and realizing the emissions benefits once a regulation has been adopted by the Board. Staff will also discuss the latest innovations in implementation addressing new vehicle technologies and advancements in vehicle evaluations.*

[More Information](#)

[Staff Presentation](#)

**16-3-2: Public Meeting to Consider Recommending a Site for the Proposed Southern California Consolidation Project**

*The Board will consider recommending a site for the proposed Southern California Consolidation Project. Staff will present its evaluation of sites in both Riverside and Pomona and the basis and rationale for its recommendation of the Pomona site. The Board will consider a resolution with a recommendation for a specific site. Any Board recommendation will be forwarded to the Joint Legislative Budget Committee for a 30-day review period.*

[More Information](#)

[Staff Presentation](#)

**CLOSED SESSION**

*The Board will hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation, and as authorized by Government Code section 11126(a):*

*POET, LLC, et al. v. California Air Resources Board, et al., Superior Court of California (Fresno County), Case No. 15CECG03380.*

*American Fuels and Petrochemical Manufacturers, et al. v. Jane O’Keeffe, et al.*, U.S. District Court (D. Ore. Portland), Case No. 3:15-CV-00467; Plaintiffs’ appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 15-35834.

*POET, LLC, et al. v. Corey, et al.*, Superior Court of California (Fresno County), Case No. 09CECG04850; plaintiffs’ appeal, California Court of Appeal, Fifth District, Case No. F064045; California Supreme Court, Case No. S213394. [remanded to trial court].

*Rocky Mountain Farmers Union, et al. v. Corey*, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-CV-02234-LJO-DLB; ARB interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 09-CV-02234 [remanded to trial court].

*American Fuels and Petrochemical Manufacturers, et al. v. Corey, et al.*, U.S. District Court (E.D. Cal. Fresno), Case No. 1:10-CV-00163-AWI-GSA; ARB’s interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 10-CV-00163 [remanded to trial court].

*California Chamber of Commerce et al. v. California Air Resources Board*, Sacramento Superior Court, Case No. 34-2012-80001313; plaintiffs’ appeal, California Court of Appeal, Third District, Case No. C075930.

*Morning Star Packing Company, et al. v. California Air Resources Board, et al.*, Sacramento Superior Court, Case No. 34-2013-800001464; plaintiffs’ appeal, California Court of Appeal, Third District, Case No. C075954.

*Kimberly-Clark Worldwide, Inc. v. California Air Resources Board, et al.*, Sacramento County Superior Court, Case No. 34-2015-80002246.

*Sowinski v. California Air Resources Board, et al.*, Orange County Superior Court, Case No. 30-2015-00822179-CU-BT-CXCCX-105.

*State of West Virginia et al. v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1363.

*Truck and Engine Manufacturers Association v. California Air Resources Board*, Sacramento Superior Court, Case No. 34-2013-00150733.

*Alliance of Automobile Manufacturers v. California Air Resources Board*; Sacramento Superior Court, Case No. 34-2013-00152974.

*Alliance for California Business v. Nichols et al.*, Glenn County Superior Court, Case No. 13CV01232.

*Dalton Trucking, Inc. v. United States Environmental Protection Agency*, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.

*Owner-Operator Independent Drivers Association Inc. et al. v. Corey et al.*, U.S. District Court, (E.D. Cal. Fresno) Case No. 1:13-CV-01998-LJO-SAB (transferred by court to E.D. Cal. Sacramento, Case No. 2:14-CV-00186-MCE-AC), plaintiffs’ appeal U.S. Court of Appeals, Ninth Circuit, Case Nos. 15-72101 and 15-16429.

*Jack Cody dba Cody Transport v. California Air Resources Board, et al.*, Sacramento Superior Court, Case No. 34-2015-80002116.

*John R. Lawson Rock & Oil, Inc. et al. v. California Air Resources Board et al.*, Fresno County Superior Court, Case No. 14-CECG01494.

*Transportation Solutions Defense and Education Fund v. California Air Resources Board*, Fresno County Superior Court, Case No. 14CECG01788 (plaintiff's transfer to Sacramento Superior Court, Case No. 34-2014-80001974-CU-WM-GDS).

*Meeks v. California Air Resources Board, et al.* Los Angeles County Superior Court, Case No. BC592558.

*Adam Brothers Trucking v. Air Resources Board, et al.*, Santa Barbara County Superior Court, Case No. 15 CV04432

*In re: Volkswagen "Clean Diesel" MDL*, United States District Court, Northern District of California, Case No. 15-MD-2672-CRB (JSC).

*American Coating Association, Inc. v. State of California and California Air Resources Board*, Sacramento County Superior Court, Case No. 04CS01707.

*People v. Southern California Gas Company*, Los Angeles Superior Court, Case No. BC 602973.

*California Air Resources Board v. BP West Coast Products LLC*, Contra Costa County Superior Court, Case No. C12-00567.

*California Air Resources Board v. West Coast Diesel, Inc.*, Fresno County Superior Court, Case No. 15 CECG 03337.

#### **OPPORTUNITY FOR MEMBERS OF THE BOARD TO COMMENT ON MATTERS OF INTEREST**

*Board members may identify matters they would like to have noticed for consideration at future meetings and comment on topics of interest; no formal action on these topics will be taken without further notice.*

#### **OPEN SESSION TO PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD ON SUBJECT MATTERS WITHIN THE JURISDICTION OF THE BOARD**

*Although no formal Board action may be taken, the Board is allowing an opportunity to interested members of the public to address the Board on items of interest that are within the Board's jurisdiction, but that do not specifically appear on the agenda. Each person will be allowed a maximum of three minutes to ensure that everyone has a chance to speak.*

#### **TO ELECTRONICALLY SUBMIT WRITTEN COMMENTS ON AN AGENDA ITEM IN ADVANCE OF THE MEETING GO TO:**

<http://www.arb.ca.gov/lispub/comm/bclist.php>

(Note: not all agenda items are available for electronic submittals of written comments.)

#### **IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERK OF THE BOARD:**

1001 I Street, 23<sup>rd</sup> Floor, Sacramento, California 95814

(916) 322-5594

ARB Homepage: [www.arb.ca.gov](http://www.arb.ca.gov)

### **SPECIAL ACCOMMODATION REQUEST**

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alternativo u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

**California Environmental Protection Agency**



**NOTICE OF CONTINUED PUBLIC MEETING AND MEETING AGENDA**

**March 24, 2016**  
(Continuation of March 17, 2016,  
Board Meeting)

**[Webcast](#)**

**LOCATION:**

California Environmental Protection Agency  
Air Resources Board  
Byron Sher Auditorium, 2<sup>nd</sup> Floor  
1001 I Street  
Sacramento, California 95812

This facility is accessible by public transit. For transit information, call (916) 321-BUSS, website: <http://www.sacrt.com>  
(This facility is accessible to persons with disabilities.)

**Or via teleconference:**

Contra Costa County Board of Supervisors, District 1  
11780 San Pablo Avenue, Suite D  
El Cerrito, CA 94530

Environmental Health Coalition  
2727 Hoover Ave., Suite 202  
National City, CA 91950

1665 Dwight Street  
Redlands, CA 92373

Conrad Hilton Dublin  
Earlsfort Terrace  
Dublin, Ireland

**Thursday**  
**March 24, 2016**  
**10:00 a.m.**

**DISCUSSION ITEM:**

**Agenda Item #**

**16-3-2: Continuation of Public Meeting to Consider Recommending a Site for the Proposed Southern California Consolidation Project**

*The Air Resources Board (ARB or Board) conducted a public meeting on March 17, 2016, to consider the staff recommendation of a site for the proposed Southern California Consolidation Project. After the close of public comment, the Board voted to continue their deliberations on the matter to a meeting at the time and places listed above. At the continued meeting, public comment will not be re-opened. The Board will consider voting on a resolution with a recommendation for a specific site. If the Board votes on a recommendation, it will be forwarded to the Joint Legislative Budget Committee for a 30-day review period.*

*Copies of the staff report may be obtained from ARB's Public Information Office, 1001 I Street, First Floor, Environmental Services Center, Sacramento, California, 95814, (916) 322 2990. The report may also be obtained from ARB's website at <http://www.arb.ca.gov/html/socalfacility/socalfacility.htm>.*

**[More Information](#)**

**CLOSED SESSION**

*The Board will hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation, and as authorized by Government Code section 11126(a):*

*POET, LLC, et al. v. California Air Resources Board, et al., Superior Court of California (Fresno County), Case No. 15CECG03380.*

*American Fuels and Petrochemical Manufacturers, et al. v. Jane O’Keeffe, et al., U.S. District Court (D. Ore. Portland), Case No. 3:15-CV-00467; Plaintiffs’ appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 15-35834.*

*POET, LLC, et al. v. Corey, et al., Superior Court of California (Fresno County), Case No. 09CECG04850; plaintiffs’ appeal, California Court of Appeal, Fifth District, Case No. F064045; California Supreme Court, Case No. S213394. [remanded to trial court].*

*Rocky Mountain Farmers Union, et al. v. Corey, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-CV-02234-LJO-DLB; ARB interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 09-CV-02234 [remanded to trial court].*

*American Fuels and Petrochemical Manufacturers, et al. v. Corey, et al., U.S. District Court (E.D. Cal. Fresno), Case No. 1:10-CV-00163-AWI-GSA; ARB’s interlocutory appeal, U.S. Court of Appeals, Ninth Circuit, Case No. 10-CV-00163 [remanded to trial court].*

*California Chamber of Commerce et al. v. California Air Resources Board, Sacramento Superior Court, Case No. 34-2012-80001313; plaintiffs’ appeal, California Court of Appeal, Third District, Case No. C075930.*

*Morning Star Packing Company, et al. v. California Air Resources Board, et al., Sacramento Superior Court, Case No. 34-2013-800001464; plaintiffs’ appeal, California Court of Appeal, Third District, Case No. C075954.*

*Kimberly-Clark Worldwide, Inc. v. California Air Resources Board, et al., Sacramento County Superior Court, Case No. 34-2015-80002246.*

*Sowinski v. California Air Resources Board, et al., Orange County Superior Court, Case No. 30-2015-00822179-CU-BT-CXCCX-105.*

*State of West Virginia et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1363.*

*Truck and Engine Manufacturers Association v. California Air Resources Board, Sacramento Superior Court, Case No. 34-2013-00150733.*

*Alliance of Automobile Manufacturers v. California Air Resources Board; Sacramento Superior Court, Case No. 34-2013-00152974.*

*Alliance for California Business v. Nichols et al., Glenn County Superior Court, Case No. 13CV01232.*

*Dalton Trucking, Inc. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.*

*Owner-Operator Independent Drivers Association Inc. et al. v. Corey et al.*, U.S. District Court, (E.D. Cal. Fresno) Case No. 1:13-CV-01998-LJO-SAB (transferred by court to E.D.Cal. Sacramento, Case No. 2:14-CV-00186-MCE-AC), plaintiffs' appeal U.S. Court of Appeals, Ninth Circuit, Case Nos. 15-72101 and 15-16429.

*Jack Cody dba Cody Transport v. California Air Resources Board, et al.*, Sacramento Superior Court, Case No. 34-2015-80002116.

*John R. Lawson Rock & Oil, Inc. et al. v. California Air Resources Board et al.*, Fresno County Superior Court, Case No. 14-CECG01494.

*Transportation Solutions Defense and Education Fund v. California Air Resources Board*, Fresno County Superior Court, Case No. 14CECG01788 (plaintiff's transfer to Sacramento Superior Court, Case No. 34-2014-80001974-CU-WM-GDS).

*Meeks v. California Air Resources Board, et al.* Los Angeles County Superior Court, Case No. BC592558.

*Adam Brothers Trucking v. Air Resources Board, et al.*, Santa Barbara County Superior Court, Case No. 15 CV04432

*In re: Volkswagen "Clean Diesel" MDL*, United States District Court, Northern District of California, Case No. 15-MD-2672-CRB (JSC).

*American Coating Association, Inc. v. State of California and California Air Resources Board*, Sacramento County Superior Court, Case No. 04CS01707.

*People v. Southern California Gas Company*, Los Angeles Superior Court, Case No. BC 602973.

*California Air Resources Board v. BP West Coast Products LLC*, Contra Costa County Superior Court, Case No. C12-00567.

*California Air Resources Board v. West Coast Diesel, Inc.*, Fresno County Superior Court, Case No. 15 CECG 03337.

#### **OPPORTUNITY FOR MEMBERS OF THE BOARD TO COMMENT ON MATTERS OF INTEREST**

*Board members may identify matters they would like to have noticed for consideration at future meetings and comment on topics of interest; no formal action on these topics will be taken without further notice.*

#### **OPEN SESSION TO PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD ON SUBJECT MATTERS WITHIN THE JURISDICTION OF THE BOARD**

*Although no formal Board action may be taken, the Board is allowing an opportunity to interested members of the public to address the Board on items of interest that are within the Board's jurisdiction, but that do not specifically appear on the agenda. Each person will be allowed a maximum of three minutes to ensure that everyone has a chance to speak.*

**IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CLERK OF THE BOARD:**

**1001 I Street, 23<sup>rd</sup> Floor, Sacramento, California 95814**

**(916) 322-5594**

**ARB Homepage: [www.arb.ca.gov](http://www.arb.ca.gov)**

### **SPECIAL ACCOMMODATION REQUEST**

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alternativo u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.



[↑ Back to Agenda](#)

BOARD MEETING DATE: April 1, 2016

AGENDA NO. 25

REPORT: Ad Hoc Committee on Large Compliance Investments and Future Regulatory Certainty

SYNOPSIS: The Ad Hoc Committee met Friday, December 4, 2015 and January 8, 2016. Attached is a summary of the meetings held.

RECOMMENDED ACTION:  
Receive and File.

Shawn Nelson, Chair  
Ad Hoc Committee on Large Compliance  
Investments and Future Regulatory Certainty

PMF:JW:cl

---

### **Background**

At the October 2, 2015 Board meeting, the Board proposed a newly formed Ad Hoc Committee on Large Compliance Investments and Future Regulatory Certainty. Attached are the minutes of the Committee meetings held on December 4, 2015 and January 8, 2016.

### **Attachments**

1. December 4, 2015 Minutes & Attendance Roster for Ad Hoc Committee on Large Compliance Investments and Future Regulatory Certainty
2. January 8, 2016 Minutes & Attendance Roster for Ad Hoc Committee on Large Compliance Investments and Future Regulatory Certainty

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**AD HOC COMMITTEE ON LARGE COMPLIANCE INVESTMENTS**  
**AND FUTURE REGULATORY CERTAINTY**

**MINUTES**  
**December 4, 2015**

**Attendance**

Committee Chair Shawn Nelson and Committee Members Dr. Clark E. Parker Sr., (Vice Chair), Dr. William Burke, Judith Mitchell and Janice Rutherford were in attendance at the SCAQMD headquarters in Diamond Bar.

**Call to Order and Opening Remarks**

Supervisor Nelson called the meeting to order at 2:20 p.m. and stated that since this was the first meeting of the Ad Hoc Committee, the intent is to provide committee members with a better understanding of the constraints facing the Board on issues related to uncertainty for businesses.

**Presentation of Background Information Pertaining to Large Compliance Investments and Future Regulatory Certainty**

Jill Whynot, Assistant Deputy Executive Officer with Planning, Rule Development and Area Sources provided examples of past practices where staff recognized the impacts on industry and made appropriate changes to rule proposals. Staff typically considers existing controls, useful life of equipment, sell-through provisions, economic and small business considerations and availability of any grants or incentives.

Ms. Whynot mentioned a related issue that Dr. Lyou raised at the Board meeting when forming the Committee was discussed. Companies that voluntarily, or earlier than a rule requirement, put in place some type of control technology are at risk and at a potential competitive disadvantage if a future rule does not require that same type or level of control from their competitors.

Dr. Parker requested clarification on whether there are rules already established that allow sell-through provisions, such as a standard timeframe. Ms. Whynot responded that this varies by industry situation.

Supervisor Nelson indicated this exposes industry to uncertainty and can prevent a national company coming to California.

Dr. Burke pointed out that programs like what was done for dry cleaners, are the best example of utilization of both the timeline of the amortization of the equipment and incentive funding.

Supervisor Nelson expressed concern that the Board needs to be able to honor investments or compensate business owners if the rule changes. Dr. Wallerstein offered to have a legal opinion drafted regarding rules and regulatory taking. (NOTE: The term 'taking' derives from the just compensation clause of the Fifth Amendment of the U.S. Constitution.)

Councilmember Mitchell commented that the objective is to see how we can get more certainty into our programs and regulations in order for the regulated community to be informed about what is going to be required of them. The problem we face is that every piece of equipment, every architectural coating, every situation, every circumstance is somewhat different. It is desirable to have a baseline rule or policy regarding new requirements only upon equipment replacement. However, state or federal mandates may not make this possible.

Supervisor Nelson requested a meeting in January to provide industry and stakeholders the opportunity to provide ideas. In addition, he requested legal counsel to provide a memo with guidelines on identifying restrictions that the Board would have that might limit their ability to minimize uncertainty.

Dr. Parker requested legal counsel advise if there have any cases in which the courts have ruled on certain types of regulations or even congressional statutes that are similar to a contractual agreement with an entity that would invest in control technology and have been provided a time exclusion or limitation.

Dr. Burke requested, as Dr. Barry Wallerstein had previously mentioned, counsel's opinion of regulatory taking and case law.

Supervisor Rutherford left the meeting at 3:00 p.m.

#### **Public Comments**

There were no public comments.

#### **Adjournment**

The meeting was adjourned at 3:05 p.m.

#### **Attachment**

Attendance Roster – December 4, 2015

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
AD HOC COMMITTEE MEETING ON  
LARGE COMPLIANCE INVESTMENTS AND FUTURE  
REGULATORY CERTAINTY  
Attendance Roster – December 4, 2015**

NAME	AFFILIATION
Supervisor Shawn Nelson	SCAQMD Governing Board
Dr. Clark E. Parker, Sr.	SCAQMD Governing Board
Dr. William Burke	SCAQMD Governing Board
Councilmember Judith Mitchell	SCAQMD Governing Board
Supervisor Janice Rutherford	SCAQMD Governing Board
Board Consultant Mark Abramowitz	SCAQMD Governing Board (Lyou)
Board Consultant Mark Taylor	SCAQMD Governing Board (Rutherford)
Board Consultant Andrew Silva	SCAQMD Governing Board (Rutherford)
Board Consultant Denis Bilodeau	SCAQMD Governing Board (Nelson)
Sara Catz	
Peter Whittingham	Curt Pringle & Associates
Mark Olson	Gerdau
Rita Loof	RadTech
Joseph Hower	Ramboll Environ
Susan Stark	Tesoro
Barry Wallerstein	SCAQMD Staff
Philip Fine	SCAQMD Staff
Jill Whynot	SCAQMD Staff
Kurt Wiese	SCAQMD Staff
Barbara Baird	SCAQMD Staff
Ian MacMillan	SCAQMD Staff
Shah Dabirian	SCAQMD Staff
Elaine Shen	SCAQMD Staff
Jillian Wong	SCAQMD Staff
Priscilla Hamilton	SCAQMD Staff
Naveen Berry	SCAQMD Staff
Cristina Lopez	SCAQMD Staff

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
AD HOC COMMITTEE ON LARGE COMPLIANCE INVESTMENTS  
AND FUTURE REGULATORY CERTAINTY**

**MINUTES  
January 8, 2016**

**Attendance**

Committee Chair Shawn Nelson and Committee Members Dr. Clark E. Parker Sr., (Vice Chair), Dr. William Burke, Judith Mitchell and Janice Rutherford were in attendance at the SCAQMD headquarters in Diamond Bar.

**Call to Order and Opening Remarks**

Supervisor Nelson called the meeting to order at 11:03 a.m. Supervisor Nelson commented that he never envisioned a moratorium on rulemaking, but wants investments made for equipment purchases to be exempt from future rulemaking or have business owners compensated for future rule changes.

**Follow up Items from Last Meeting**

Kurt Wiese, General Counsel, prepared a memo and slides regarding legal constraints and case law, and an analysis of regulatory takings, per the Ad Hoc Committee's requests at the previous meeting.

**Committee Discussion**

Supervisor Nelson indicated that financial uncertainty is the distinction – regulations will change but we need to protect investments and offset costs. Dr. Burke asked how we can give assurance to businesses that they can use equipment for its useful life or some time period. Mr. Wiese replied that there are ways to accomplish this without a moratorium in a rule. Dr. Barry Wallerstein noted that in the past the Board has recognized equipment life and built time lines into rules, such as giving dry cleaners up to 19 years to change out their equipment.

Supervisor Nelson stated his preference for a policy before rules come to the Board. Mr. Wiese stated that if a rule specified a certain time before its requirements could be changed, that could be challenged; however the Board can consider regulatory costs and other factors such as cost effectiveness and sunk costs. Dr. Burke wanted assurances, and Supervisor Nelson said legislative changes may be needed.

Dr. Burke left the meeting at 11:20 a.m.

Councilmember Mitchell suggested that an overarching Policy that dealt with useful life, lead time for rule limits, and flexibility to meet all feasible controls would be helpful. Exceptions would be needed where this would not work, such as Air Toxic Control Measures (ATCMs).

Supervisor Nelson reiterated the need to provide certainty and reduce risk for large compliance investments. Dr. Parker stated that there is a need to bridge the gap and tie useful life of equipment to the number of years to comply. We must follow mandates and time frames for rule making but cost/benefits must be considered.

Supervisor Nelson asked that a Working Group be formed to help work on these issues. Bill LaMarr, California Small Business Alliance (CSBA), stated that for small businesses, \$50,000 to \$100,000 was a large investment. He stated that useful life of equipment is discussed at working group meetings for rules, but is generally assigned by staff. He provided several examples of multiple SCAQMD regulatory changes that affect small businesses.

Dr. Parker likes regulations that are simple and provide flexibility, such as the option to buy credits rather than install controls. Councilmember Mitchell added that RECLAIM, which includes this concept, does not cover all industries or all pollutants, but the cost benefit analysis is relevant and flexibility should be included in the policy.

Mr. Peter Whittingham, Curt Pringle & Associates, expressed an interest in being part of the Working Group and asked if this effort would impact existing rules. Dr. Wallerstein recommended that staff set up this group and work on a policy umbrella with action items, similar to the structure of the Energy Policy. This document could guide rules and permitting. Staff will seek stakeholder input, including representatives from the financial sector.

The Ad Hoc Committee directed staff to form a Working Group, to engage with stakeholders, and to have the next Ad Hoc Committee meeting after specific ideas have been developed.

Bill LaMarr (CSBA) and Rita Loof (RadTech) expressed support for this effort.

#### **Public Comments**

There were no public comments.

#### **Adjournment**

The meeting was adjourned at 12:10 p.m.

#### **Attachment**

Attendance Roster – January 8, 2016

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**AD HOC COMMITTEE MEETING ON**  
**LARGE COMPLIANCE INVESTMENTS AND FUTURE REGULATORY**  
**CERTAINTY**  
**Attendance Roster – January 8, 2016**

NAME	AFFILIATION
Supervisor Shawn Nelson	SCAQMD Governing Board
Dr. Clark E. Parker, Sr.	SCAQMD Governing Board
Dr. William Burke	SCAQMD Governing Board
Councilmember Judith Mitchell	SCAQMD Governing Board
Supervisor Janice Rutherford	SCAQMD Governing Board
Board Consultant Mark Taylor	SCAQMD Governing Board (Rutherford)
Board Consultant Andrew Silva	SCAQMD Governing Board (Rutherford)
Board Consultant Denis Bilodeau	SCAQMD Governing Board (Nelson)
Board Consultant Chung Liu	SCAQMD Governing Board (Mitchell)
Curtis Coleman	Southern California Air Quality Alliance
Harvey Eder	Public Solar Power Coalition
Sue Gornick	Western States Petroleum Association
Joseph Hower	Ramboll Environ
Bill LaMarr	California Small Business Alliance
Rita Loof	RadTech
Larry McCallon	Mayor of Highland
Daniel McGivney	SoCalGas
Mark Olson	Gerdau
Erin Sheey	Environmental Compliance Solutions
Susan Stark	Tesoro
Peter Whittingham	Curt Pringle & Associates
Barry Wallerstein	SCAQMD Staff
Kurt Wiese	SCAQMD Staff
Barbara Baird	SCAQMD Staff
Philip Fine	SCAQMD Staff
Jill Whynot	SCAQMD Staff

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**AD HOC COMMITTEE MEETING ON**  
**LARGE COMPLIANCE INVESTMENTS AND FUTURE REGULATORY**  
**CERTAINTY**

**Attendance Roster – January 8, 2016**

Joe Cassmassi	SCAQMD Staff
Ian MacMillan	SCAQMD Staff
Shah Dabirian	SCAQMD Staff
Elaine Shen	SCAQMD Staff
Jillian Wong	SCAQMD Staff
Priscilla Hamilton	SCAQMD Staff
Naveen Berry	SCAQMD Staff
Cristina Lopez	SCAQMD Staff



BOARD MEETING DATE: April 1, 2016

AGENDA NO. 28

**PROPOSAL:** Execute Sole Source Contract with National Academies of Sciences, Engineering, and Medicine

**SYNOPSIS:** On January 23, 2016, the SCAQMD Hearing Board issued an Order for Abatement, Case No. 137-76, ordering Southern California Gas Company (SoCalGas) to perform a health study to address community concerns regarding the health impacts of the Aliso Canyon Storage Facility gas leak. This action is to execute a sole source contract with the National Academies of Sciences, Engineering, and Medicine for an amount not to exceed \$600,000 to provide independent guidance for the health study, and to review and rank research proposals.

**COMMITTEE:** No Committee Review

**RECOMMENDED ACTIONS:**

1. Upon receipt, recognize revenue from SoCalGas in an amount up to \$600,000 in the BP ARCO Settlement Projects Fund (46).
2. Authorize the Chairman to execute a sole source contract with the National Academies of Sciences, Engineering, and Medicine for an amount not to exceed \$600,000 from the BP ARCO Settlement Projects Fund (Fund 46) to provide independent guidance and review with the preparation of the health study required under the Hearing Board's Order for Abatement, Case No. 137-76, issued to Southern California Gas Company (SoCalGas) to address community concerns related to the Aliso Canyon Storage Facility gas leak.

Michael O'Kelly  
Acting Executive Officer

JKG:mt

---

**Background**

Southern California Gas Company (SoCalGas) operates a natural gas underground storage facility (Aliso Canyon Storage Facility) at 12801 Tampa Avenue in Northridge, CA 91326. On October 23, 2015, SoCalGas discovered a leak from Well SS-25 that was used to inject and withdraw natural gas from the underground storage reservoir at

the facility. Despite several attempts by SoCalGas to stop the leak, natural gas continued to leak from the underground reservoir through Well SS-25 into the surrounding community. Nearby residents complained of symptoms including headache, nausea, dizziness, and respiratory irritation. On February 11, 2016, the gas leak was temporarily stopped, and the well was declared permanently sealed on February 18, 2016.

In January 2016, SoCalGas was issued an Order for Abatement (Case No. 137-76) from SCAQMD's Hearing Board. Paragraph 12 of the Order for Abatement requires SoCalGas to commit funding to conduct a health study on the potential health impacts to the nearby community that was exposed to the natural gas from the well leak. The study will include a focus on potential health effects from exposure to the odorant additives tetrahydrothiophene and tertiary-butyl mercaptan. The health study is to be completed by a third party approved by SCAQMD and SoCalGas.

On February 2, 2016, as required by the Order for Abatement, SoCalGas provided a written commitment to fund the health study. On February 24, 2016, SCAQMD staff met with SoCalGas, and proposed a process for conducting the study. In order to ensure the scientific integrity, objectivity and independence of the health study, staff proposed that the process would be overseen by the National Academies of Sciences, Engineering, and Medicine (NAS). To date, SoCalGas has not yet agreed to contribute funds toward this purpose. Because the health study is one of the most critical pieces of the Order for Abatement, and because of the need to start this process as soon as possible, staff proposes to move forward with the proposed process and execute a contract with NAS to provide valuable scientific guidance and peer review of research proposals. Staff will continue to seek reimbursement from SoCalGas.

### **Proposal**

Staff proposes to execute a sole source contract with the National Academies of Sciences, Engineering, and Medicine (NAS) to carry out the following activities related to the health study:

- Form an independent scientific advisory committee of relevant unbiased subject-matter experts.
- Recommend a research strategy that identifies types of research projects and the timing that would be practical and useful in addressing the overall objectives of the health study. Review and provide input on the request for proposal (RFP).
- Review and rank research proposals.
- Prepare reports on committee's findings.

All advice from the committee would be provided in the form of brief consensus reports or letters which undergo NAS review prior to public release. The review process will be structured to ensure that each report addresses its approved study charge, that the findings are supported by scientific evidence, that the exposition and organization are effective, and that the report is impartial and objective.

### **Benefits to SCAQMD**

The proposed contract with NAS will provide valuable scientific guidance, and ensure scientific integrity, objectivity and independence of the health study. The health study will provide valuable information and a strong scientific basis on which to develop and to assess strategies designed to protect the public health.

### **Sole Source Justification**

Section VIII. B. 2 of the Procurement Policy and Procedure identifies four major provisions under which a sole source award may be justified. This request for a sole source award is made under provision B.2.c (1)—The desired services are available from only the sole-source based upon the unique experience and capabilities of the proposed contractor or contractor team. The NAS is a non-profit organization that was established under a congressional charter in 1863, and is a trusted and valuable resource for independent, expert advice, and has been used by Congress, the federal government, state and local agencies, non-profit organizations and others that need independent review of programs and guidance on future research efforts. Approximately 85% of the work done by NAS is funded by the federal government, including recent work for government agencies to develop a research strategy and review research proposals. Because of the heightened public concern around the Aliso Canyon gas leak incident, it is imperative that this health study is conducted without bias; therefore, scientific guidance, review and oversight by a non-profit organization that is primarily publicly-funded would promote trust in the study results.

### **Resource Impacts**

The cost for the sole source contract to the National Academies of Sciences, Engineering, and Medicine is for an amount not to exceed \$600,000. Funds will be available from the BP ARCO Settlement Projects Fund (Fund 46). However, staff will continue to seek reimbursement from SoCalGas.