



CALIFORNIA

AIR RESOURCES BOARD

Yana Garcia, CalEPA Secretary

Liane M. Randolph, Chair

Gavin Newsom, Governor

May 23, 2024

REQUEST FOR QUOTATION

RFQ #2023456 – Portable Emission Measuring Systems (PEMS) and Calibration Services NOTICE TO PROSPECTIVE BIDDERS

You are invited to review and respond to this Request for Quotation (RFQ) for Information Technology. In submitting your quote, you must comply with the instructions and requirements found herein.

The California Air Resources Board (CARB) considers this RFQ complete and without need of explanation. However, if you have questions or need any clarifying information, please contact the email addresses listed below.

Submit questions to: itprocurements@arb.ca.gov and CC: Jian.Huang@arb.ca.gov. **Question submissions are due no later than May 30, 2024 before 5:00 PM (PT)**. Questions will be answered and submitted via an addendum, which will be posted to this RFQ.

Please note that no verbal information given will be binding upon the State unless such information is issued in writing as an official addendum.

The following are incorporated as part of this Request for Quote (RFQ):

Bidder Instructions (GSPD-451) dated 11/9/2011

<https://www.documents.dgs.ca.gov/dgs/FMC/GS/PD/DGSPD%20451.pdf>

Information Technology General Provisions (GSPD-401IT Revised and Effective 6/21/2022)

<https://www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/Required-Language-for-Solicitations-and-Contracts>

Cloud Computing - Software as a Service (SaaS) (revision date 6/21/2022).

<https://www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/Required-Language-for-Solicitations-and-Contracts>

All documents submitted in response to this RFQ will become the property of the State of California and are subject to the California Public Records Act, GC section 6250 et seq., the California Evidence Code and other applicable state and federal laws.

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REQUEST FOR QUOTATION
RFQ #2023456 – Portable Emission Measuring Systems (PEMS) and Calibration Services

A. GENERAL INFORMATION

1. Purpose

The California Air Resources Board (CARB) seeks to procure (4) Portable Emission Measuring Systems (PEMS) and (4) Calibration Services. These PEMS units are required for low NOx readings of various vehicles that emit low NOx readings between 0-500 ppm, mainly for on-road emissions testing. These units will provide more accurate readings of low NOx vehicles. With these PEMS, CARB will be able to enforce its mission-critical vehicle emission regulations and perform testing to support the enforcement of vehicle emission regulations.

2. Requirements

- ☐ The resulting contract will be a Purchase Order (PO).
- ☐ Items purchased under this PO must be within the specifications required.
- ☐ Substitutions or product deviations will only be accepted upon CARB approval.
- ☐ Upon PO execution, products must be delivered within 45 working days after receipt of order to the specified location or mutually agreed upon by both parties.
- ☐ CARB retains the right to return defective products, and to be compensated prior to final payment is made against the PO.
- ☐ **Freight:** FOB Destination Only for this RFQ. Include all freight, shipping and/or handling fees in the unit price.

B. QUOTE REQUIREMENTS AND INFORMATION

1. Key Action Dates

It is recognized that time is of the essence. All bidders submitting quotes are hereby advised of the following schedule and will be expected to adhere to the required dates and times. CARB assumes no responsibility for quotes not received by the quote due date at the specified location.

- | | |
|--|--------------|
| <input type="checkbox"/> RFQ available to prospective bidders | May 23, 2024 |
| <input type="checkbox"/> Written questions must be received by 5:00 PM (PT) | May 30, 2024 |
| <input type="checkbox"/> Questions and Answers Addendum posted | June 3, 2024 |
| <input type="checkbox"/> Quotes packet must be received no later than 5:00 PM (PT) | June 6, 2024 |

Notice of Proposed Award Date to occur 5-10 working days after quotes are received.

2. Submission of Quote

All quotes shall include the documents identified in Section G., RFQ RESPONSE CONTENT. Quotes not including the proper required documentation shall be deemed non-responsive and shall be rejected. A non-responsive quote is one that does not meet the basic requirements.

Email Quotes to: ITprocurements@arb.ca.gov and Jian.Huang@arb.ca.gov

C. RFQ RESPONSE GUIDELINES AND OTHER GENERAL INFORMATION

1. The SOW, RFQ and the successful Bidder's Response to this RFQ (Response) will be incorporated by reference and made a part of the resulting Contract.
2. If a Bidder discovers any ambiguity, conflict, discrepancy, omission or any other errors in this RFQ, the Bidder should immediately provide written notice to the State of such error and request clarification or modification of the affected document. Bidders requiring clarification of the intent and content of this RFQ may request clarification by submitting questions via email to the Procurement Official listed on the cover page of this RFQ.
3. The State may modify any part of the RFQ, by issuance of one (1) or more addenda. Addenda will be numbered consecutively and sent to the established vendor list for this RFQ.
4. The State may request clarifications from Bidders at any phase of the assessment and selection process for the purpose of clarifying ambiguities in the information presented in the Response. The State is under no obligation to request clarification if information in the Bid is unclear.
5. All costs for developing Responses are entirely the responsibility of the Bidder and shall not be chargeable to the State.
6. **All Bids received** by CARB must be submitted **by email** and sent to CARB by the dates and times shown in accordance with SECTION B.1., KEY ACTION DATES. The email containing the Bid must be plainly marked "**BID,**" with **the RFQ number and Bidder's firm name in the subject line**. Example for the one (1) email submission is provided below:

SUBJECT LINE (for Bid Proposal): **RFQ #2023456 – BIDDER'S FIRM NAME – BID**

7. Bids submitted or delivered via any other method will **not** be accepted. The bidder is solely responsible for ensuring that the full bid is received by the State in accordance with the solicitation requirements, at the specified location, and prior to the Quotes Due Date and Time. The State shall not be responsible for any delays in delivery, including but not limited to, transmission errors, or any other delays or mis-delivery.

WHEN SUBMITTING YOUR RESPONSE TO THIS RFQ, BIDDER MUST SUBMIT:

- a. One (1) email as described below:
One (1) email containing the electronic copy of the entire RFQ response packet must be submitted via the email address in Section B.2. of this RFQ and following the naming convention for the Subject Line as described in item 6 of this section.
- b. The response packet must include all the required attachments and they must be completed as described in Section G., RFQ RESPONSE CONTENT.

D. RFQ RESPONSE

Issuance of this RFQ in no way constitutes a commitment by the State to award a contract. The State reserves the right to reject bids received and cancel this RFQ if the State determines that it is in the State's best interest to do so. RFQ responses that reference a bidder's own terms and conditions, provisions, assumptions, and/or conditional language will be considered non-responsive and be rejected. Any response that is conditional or incomplete may also be considered to be non-responsive. Assumptions made by the bidder in response to this RFQ do not obligate the State. Additionally, assumptions may make the bid conditional and cause the bid to be rejected.

E. AWARD OF CONTRACT

Award of contract, if made, will be in accordance with Section H., EVALUATION INFORMATION, to a responsive and responsible bidder whose bid complies with all the requirements of the RFQ documents and addenda thereto, except for such immaterial defects as may be waived by the State. Award, if made, will be made within forty-five (45) days after the scheduled date for Contract Award as specified in the RFQ; however, a bidder may extend the offer beyond 45 days in the event of a delay of contract award.

The State reserves the right to determine the successful bidder(s) either on the basis of individual items or on the basis of all items included in its RFQ, unless otherwise expressly provided in the State's RFQ. Unless the bidder specifies otherwise in its bid, the State may accept any item or group of items of any bid. The State reserves the right to modify or cancel in whole or in part its RFQ.

Written notification of CARB's Intent to Award will be made to all responding bidders. If a Bidder, having submitted a bid, can show that its bid, instead of the bid selected by CARB, should be selected for contract award, the bidder will be allowed five (5) working days to submit a protest to the Intent to Award. Protests must be in accordance with the instructions contained in Section F., PROTESTS, of this RFQ.

F. PROTESTS

Any bidder's issues regarding the solicitation requirements must be resolved (or attempts to resolve them must have been made) prior to a protest being submitted and according to the procedure below. These issues will first be resolved by the contact (Procurement Official) for the solicitation. If the issues result in a protest, the protest must be submitted to the Department of General Services' (DGS) Procurement Division Deputy Director to hear and resolve the issues, and whose decision will be final.

If a bidder has submitted a bid that it believes to be responsive to the requirements of the RFQ and to be the bid that should have been selected according to the evaluation procedures in the solicitation and the bidder believes the State has incorrectly selected another bidder for award, the bidder may submit a protest of the selection as described below. Protests regarding the selection of the "successful bidder" will be heard and resolved by the Victim Compensation and Government Claims Board whose decision will be final.

All protests of award must be made in writing, signed by an individual authorized to bind the bidder contractually and financially, and contain a statement of the reason(s) for protest; citing the law,

rule, regulation or procedure on which the protest is based. The protester must provide facts and evidence to support the claim. Protests must be emailed to:

PDProtest@dgs.ca.gov

or delivered to:

Department of General Services
Deputy Director – Procurement Division
707 Third Street, Second Floor South
West Sacramento, CA 95605
Facsimile #: (916) 376-6226

The protester must also provide a copy of the protest to CARB. A copy of the protest must be emailed to:

itprocurements@arb.ca.gov

Any protests of the solicitation requirements or protests concerning the selection process, as described above, must be received by the DGS Procurement Division Deputy Director as promptly as possible, but not later than the date indicated in the Notification of Intent to Award. Certified or registered mail must be used unless delivered in person, in which case the protester should obtain a receipt of delivery.

G. RFQ RESPONSE CONTENT

The following documents must be submitted in the RFQ response. Please also refer to Section C., RFQ RESPONSE GUIDELINES AND OTHER GENERAL INFORMATION. All requirements must be met by the bidder and the bidder's staff by the RFQ Quotes Due Date and Time. Please refer to Section B., KEY ACTION DATES.

Administrative and Technical Criteria (All documents are considered Mandatory Submittals unless explicitly stated otherwise and the appropriate conditions are met.) Bidders must complete the forms and email them in accordance with Section C.7.

1. **ATTACHMENT A – COVER LETTER**
2. **ATTACHMENT B – RFQ CONTENT CHECKLIST**
3. **ATTACHMENT C – SPECIFICATION COMPLIANCE QUESTIONNAIRE:** Bidder must complete this questionnaire to indicate if the product(s) offered on this quote complies in all respects with the specifications or if there are any deviations.
4. **ATTACHMENT D – PAYEE DATA RECORD, STD. 204:** Bidders must submit a completed STD. 204, Payee Data Record, as this form is needed for payment purposes, if selected. This form is available at: <https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>.

5. **ATTACHMENT E – POST-CONSUMER CONTENT CERTIFICATION:** Bidders must complete the Recycled Content Certification Form (CalRecycle 74). This form is available at: <https://calrecycle.ca.gov/buyrecycled/stateagency/vendored/form74guide/>

The State of California is required to purchase recycled content products (RCPs) rather than non-recycled products whenever price, quality, and availability are comparable. Furthermore, each state agency is required to purchase RCPs in sufficient quantities to ensure that mandated RCP procurement goals are attained within eleven product categories. These eleven product categories and their respective minimum recycled content requirements are outlined in Attachment E. Therefore, if two bidders quote the same cost amount for services, the State will award the contract to the RCP certified contractor.

In order to help state agencies identify all reportable purchases and all the reportable RCP purchases, suppliers are mandated by the Public Contract Codes to certify the minimum, if not the exact, recycled content, both secondary and postconsumer material, in the products, materials, goods, and supplies offered or sold to the State. The Public Contract Codes require every supplier to certify the minimum, if not the exact recycled content, both secondary and postconsumer material, in the products, materials, goods, and supplies offered or sold to the State. A Recycled Content Certification Form (CalRecycle 74) is provided in Attachment D for this purpose. Additional information regarding this program can be obtained at the following web site: www.calrecycle.ca.gov (search State Agency Buy Recycled Campaign).

6. **ATTACHMENT F – CALIFORNIA SELLERS/RESELLER PERMIT OR CERTIFICATE OF REGISTRATION:** All bidders must submit a copy of their active California Sellers/Resellers Permit or Certification of Registration.
7. **ATTACHMENT G – BIDDER DECLARATION FORM:** All bidders must complete, sign, and submit this form, indicating if Contractor is certified California SB or DVBE, and/or if subcontracting any work, including to any SB or DVBE.
This form is available at: <https://www.documents.dgs.ca.gov/dgs/fmc/gspd/gspd05-106.pdf>
8. **ATTACHMENT H – COMMERCIALLY USEFUL FUNCTION (CUF) DOCUMENTATION:**
All bidders, including subcontractor(s), that are doing business with the State and are certified as a SB and/or DVBE, must perform a CUF and shall meet the CUF requirements under GC section 14837 (for SB) and Military and Veterans Code section 999 (for DVBE). Attachment G shall be completed and included in the response packet. *(If the Bidder is not an SB/DVBE and is not subcontracting with an SB/DVBE, please place "N/A" on the document and submit as part of the Response.)*
9. **ATTACHMENT I – SMALL BUSINESS CERTIFICATION:** Bidders that have been certified by California will need to submit a copy of their SB Certification if claiming small business certification.
10. **ATTACHMENT J – DVBE DECLARATION FORM, STD. 843:** Bidders that have been certified by California as a DVBE must also submit a completed form(s) STD. 843 (Disabled Veteran Business Enterprise Declaration/Certification). All disabled veteran owners and disabled veteran managers of the DVBE(s) must sign the form(s). The completed form must be included with the response packet. This form is available at

https://www.documents.dgs.ca.gov/dgs/fmc/gs/pd/pd_843.pdf. (If the bidder is not a DVBE and is not subcontracting with a DVBE, this document is not required to be submitted in the response packet.)

11. **ATTACHMENT K – CALIFORNIA CIVIL RIGHTS LAW CERTIFICATION:** All Bidders must complete and submit this form. This form is available at: <https://www.dgs.ca.gov/OLS/Forms>
12. **ATTACHMENT L – TARGET AREA CONTRACT PREFERENCE ACT (TACPA):** The TACPA preference will be granted for this procurement. Bidders wishing to take advantage of this preference will need to review the following website and submit the appropriate response with the bid: [Target Area Contract Preference Act \(TACPA\)](https://www.dgs.ca.gov/-/media/9AA853B62DF648CCBCD3EF32D10293CC.ashx). (<https://www.dgs.ca.gov/-/media/9AA853B62DF648CCBCD3EF32D10293CC.ashx>)
13. **EXHIBIT A – STATEMENT OF WORK (SOW)**
14. **EXHIBIT B-1 – COST WORKSHEET**

H. EVALUATION INFORMATION

1. EVALUATION PROCESS

- a. At the time of quote review, each will be checked for the presence or absence of required information in conformance with the submission requirements of this RFQ.
- b. The State will evaluate each quote to determine its responsiveness to the published requirements.
- c. Award, if made, will be to the lowest responsive and responsible bidder.
- d. If more than one item is specified in this solicitation, the lowest responsible bidder will be determined based on all or nothing basis.

2. INCENTIVES AND PREFERENCES

- a. CALIFORNIA CERTIFIED SMALL BUSINESS (SB) AND PREFERENCE(S) INFORMATION

Small Business Preferences and Certification

Bidders claiming the small business preference must be certified by California as a small business or must commit to subcontract at least twenty-five percent (25%) of the net bid price with one or more California certified small businesses. Small Business Nonprofit Veteran Services Agencies (SB/NVSA) prime bidders meeting requirements specified in the Military and Veterans Code Section 999.50 et seq. and obtaining a California certification as a small business are eligible for the five percent (5%) small business preference.

Small Business Participation Reporting Requirements

Per Government Code 14841, if a contract/purchase order is awarded from this solicitation with a commitment from the prime bidder to achieve small business participation, the contractor must within sixty (60) days of receiving final payment under this contract (or within

such other time period as may be specified elsewhere in this contract) report to the awarding department the actual percentage of small business participation achieved.

Non-Small Business Subcontractor Preference

A five percent (5%) bid preference is available to a non-small business claiming twenty-five percent (25%) California Certified small business subcontractor participation.

If claiming the non-small business subcontractor preference, the bid response must include a list of the small business(es) with which you commit to subcontract in an amount of at least twenty-five percent (25%) of the net bid price with one or more California certified small businesses. Each listed certified small business must perform a "commercially useful function" in the performance of the contract as defined in Government Code Section 14837(d)(4). The required list of California certified small business subcontracts must be attached to the bid response and must include the following: 1) subcontractor name, 2) address, 3) phone number, 4) a description of the work to be performed and/or products supplied, 5) and the dollar amount or percentage of the net bid price (as specified in the solicitation) per subcontractor.

b. **CALIFORNIA CERTIFIED DVBE PARTICIPATION AND INCENTIVE INFORMATION**

DVBE Participation Requirements

To be considered for the incentive, bidders must complete and return the Bidder Declaration GSPD-05-105 (08/09), the DVBE Declarations, STD. 843 (9/19), and signed, written confirmation (described below).

Confirmed DVBE Participation	DVBE Incentive:
5.0% and Above	5%
4.0% to 4.9%	4%
3.0% to 3.9%	3%
2.0% to 2.9%	2%
1.0% to 1.9%	1%

Contractor agrees to provide verification, in a form agreed to by the state, that DVBE subcontractor participation under this contract is in compliance with the goals specified at the time of award of contract/purchase order, or with any subsequent amendment.

DVBE Compliance and Verification

Written Confirmation:

A written confirmation from each DVBE subcontractor identified on the Bidder Declaration must be provided. The written confirmation **must** include the solicitation number and be signed by the Bidder and DVBE subcontractor(s). The written confirmation shall include but is not limited to the DVBE scope of work, work to be performed by the DVBE, term of intended subcontract with the DVBE, anticipated dates the DVBE will perform required work, rate and conditions of payment and total amount to be paid to the DVBE.

Failure to submit signed confirmations shall render the bid non-responsive. If further verification is necessary, the state will obtain additional information to verify compliance with the above requirements.

Disabled Veteran Business Enterprise Declarations (Std. 843):

Per the Military and Veterans Code Section 999.2, this form must be completed and signed by all disabled veteran owner(s) and disabled veteran manager(s) when a DVBE contractor or subcontractor will provide materials, suppliers, services or equipment. The completed form should be included with the bid response. Should the form not be included with the RFQ, contact the State contracting official or obtain a copy online from the Department of General Services, Procurement Division, Office of Small Business and DVBE Services (OSDS) website at <https://www.dgs.ca.gov/PD/Services/Page-Content/Procurement-Division-Services-List-Folder/Certify-or-Re-apply-as-Small-Business-Disabled-Veteran-Business-Enterprise?search=disabled%20veterans%20business%20enterprise>

At the State's option prior to award, bidders may be required to submit additional written clarifying information. Failure to submit the requested written information as specified may be resulted in bid rejection.

DVBE Subcontractor Substitution

Contractor understands and agrees to comply with the requirements set forth in Military and Veterans Code Section 999 et seq. that should award of this contract be based in part on their commitment to use the Disabled Veteran Business Enterprise (DVBE) subcontractor(s) identified in their bid or offer, per Military and Veterans Code section 999.5 (g), a DVBE subcontractor may only be replaced by another DVBE subcontractor and must be approved by both the awarding department and the Department of General Services (DGS) prior to the commencement of any work by the proposed subcontractor. Changes to the scope of work that impact the DVBE subcontractor(s) identified in the bid or offer and approved DVBE substitutions will be documented by contract amendment.

Failure of Contractor to seek substitution and adhere to the DVBE participation level identified in the bid or offer may be cause for contract termination, recovery of damages under rights and remedies due to the State, and penalties as outlined in MVC Section 999.9; Public Contract Code (PCC) Section 10115.10.

DVBE Participation Reporting Requirements

If a contract/purchase order is awarded from this solicitation with a commitment from the prime bidder to achieve disabled veteran business enterprise (DVBE) participation, pursuant to Military and Veterans Code Section 999.5, the prime contractor must within sixty (60) days of receiving final payment under this contract (or within such other time period as may be specified elsewhere in this contract) certify the information contained in the Prime Contractor's Certification - DVBE Subcontractor Report (<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std817.pdf>) The state reserves the right to verify all of the above information. Any person or entity that knowingly provides false information shall be subject to a civil penalty for each violation as stated in Military and Veterans Code Section 999.5(d).

*This form should be provided by and returned to the ordering agency by the prime contractor. It is the prime contractor's responsibility to ensure the form is received, completed and returned within the stated time frame.

c. TACPA CONTRACT PREFERENCE

This solicitation provides for the optional TACPA preference. Bidders are not required to apply for this preference. Denial of the TACPA preference request is not a basis for rejection of the bid/offer.

The TACPA workplace and workforce preferences will be evaluated for this solicitation. California-based companies seeking TACPA preferences will need to complete and submit preference request forms with the bid/offer. The following webpage contains required preference request forms and an interactive map to determine if a business is located within a TACPA qualified zone: <https://www.dgs.ca.gov/PD/Services/Page-Content/Procurement-Division-Services-List-Folder/Request-Target-Area-Contract-Preference>

Bidders wishing to take advantage of these preferences are required to submit the following applications/forms:

- TACPA (Std. 830)
- Bidder's Summary of Contract Activities and Labor Hours (DGS/PD 525)
- Manufacturer Summary of Contract Activities and Labor Hours (DGS/PD 526).

By submitting TACPA forms, a bidder given a TACPA preference agrees to the TACPA contract provisions required by Government Code section 4535 and provided in section 1896.40 of Title 2 of the California Code of Regulations (CCR) in addition to requirements specified on the TACPA form STD 830.

Contracts awarded with applied preference will be monitored throughout the life of the contract for compliance with statutory, regulatory, and contractual requirements. The State will take appropriate corrective action and apply sanctions as necessary to enforce the preference program.

ATTACHMENT A – COVER LETTER

The submission of this quote does not obligate the California Air Resources Board (CARB) to fund the proposed contract. If the quote is approved for funding, a contract will be executed between the CARB and the contractor. When funding is authorized, the contractor will be expected to adhere to the terms of the executed contract.

The undersigned contractor hereby proposes to furnish all labor, materials, tools and equipment, to provide goods/services in accordance with the specifications and provisions contained in the solicitation.

The undersigned contractor further states that it can meet and will adhere to all of the requirements, as outlined in the SOW.

1. Full Legal Name of the Contractor's Organization:

2. Mailing Address

3. Contact Information:

Phone: _____

Email Address: _____

4. Federal Taxpayer Identification Number: _____

5. Principal Who is authorized to bind the contractor:

Type Name: _____ Title: _____

Signature: _____ Date: _____

ATTACHMENT B – RFQ RESPONSE CONTENT CHECKLIST

Submission of this attachment is mandatory. Failure to complete and return this attachment with your bid may cause your bid to be rejected and deemed non-responsive.

RFQ Content Checklist	YES	Not Applicable
1. Cover letter (Attachment A)		
2. RFQ Response Content Checklist (Attachment B)		
3. Specification compliance questionnaire (Attachment C)		
4. Payee data record, std. 204 (Attachment D)		
5. Post-consumer content certification (Attachment E)		
6. California sellers/reseller permit (Attachment F)		
7. Bidder declaration form (Attachment G)		
8. Commercially useful function (CUF) documentation (Attachment H)		
9. Small business certification (Attachment I)		
10. DVBE declaration form, std. 843 (Attachment J)		
11. California civil rights law certification (Attachment K)		
12. Statement of work (SOW) (Exhibit A)		
13. Cost worksheet (Exhibit B-1)		
14. Small Business Preference (H.2.a)		
15. DVBE Incentive (H.2.b.)		
16. Target area contract preference act (TACPA) (H.2.c/Attachment L)		

ATTACHMENT C - SPECIFICATION COMPLIANCE QUESTIONNAIRE

"SUBSTITUTIONS MUST BE EVALUATED PRIOR TO AWARD"

The bidder must indicate below if the product or products offered on this quote complies in all respects with the specifications included in this solicitation.

YES _____ NO _____

If the bidder has indicated that the product offered does not comply in all respects with the attached specifications, bidder is to list below, in detail, any and all deviations.

LIST DEVIATIONS:

ATTACHMENT D - BIDDER'S PAYEE DATA RECORD, STD. 204

Payee Data Record, [STD. 204](https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf) can be found via:
<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>

Submission of this attachment is mandatory. Failure to complete and return this attachment with your bid may cause your bid to be rejected and deemed non-responsive.

ATTACHMENT E - POST-CONSUMER CONTENT CERTIFICATION

STATE OF CALIFORNIA
 Department of Resources Recycling and Recovery
 (CalRecycle)
 CalRecycle 74 (Revised 01/23)

To be completed by the State agency	
State Agency:	
Purchasing Agent:	PO #:
Phone:	E-mail:

The State Agency Buy Recycled Campaign (SABRC) is a state mandated program that requires the reporting of all purchases made within 16 specified product categories. All state agencies are required to verify the recycled-content of all products purchased within each of these categories.

All businesses shall certify the minimum percentage in writing to the contracting officer or his or her representative, if not the exact percentage, of postconsumer recycled-content (PCRC) material in the products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the minimum content requirements specified in law (see reverse side). The certification shall be furnished under penalty of perjury. The certification shall be provided regardless of content, even if the product contains no recycled material. A State agency may waive the certification requirement if the percentage of postconsumer material in the products, materials, goods, or supplies can be verified in a written advertisement, including, but not limited to, a product label, a catalog, or a manufacturer or vendor Internet website.

Public Contract Code sections 12205(a)(1), (2), (3) and (b)(1), (2), and (3)

Contractor/Company

Name _____

Address _____ **Phone** _____

Purchase Order # RFQ # RFP # IFB # Cal Card Order #	Item #	Product or Services Description	¹ Percent Postconsumer Recycled- Content Material	² SABRC Product Category Code	Meets SABRC

Pursuant to Public Contract Code 12205(b)(1), I certify under penalty of perjury under the laws of the State of California that the above information is true and correct.

Print Name _____ Signature _____ Title _____ Date _____

FOOTNOTES:

1. "Postconsumer recycled-content material" is defined as products that were bought, used, and recycled by consumers. For example, a newspaper that has been purchased, recycled, and used to make another product would be considered postconsumer material.
2. "Product category" refers to one of the categories listed below, into which the reportable purchase is best placed.
3. If the product does not belong in any of the product categories, enter "N/A." Common "N/A" products include wood products, aggregate, concrete, and electronics such as computers, TV, software on a disk or CD, and telephones.
4. For reused or refurbished products, there is no minimum content requirement. (PCC 12209(l))

California Department of Resources Recycling and Recovery (CalRecycle)

State Agency Buy Recycled Campaign (SABRC) - SABRC@CalRecycle.ca.gov

Code*	Product Categories	Product Subcategories	Product Examples in each SABRC Category (PCC 12207) Examples include, but are not limited to, these individual products/materials.	Minimum Post-Consumer Content Requirement per Statute (PCC 12209)
1A	Paper Products	Toilet Paper	Toilet paper.	45 percent by fiber weight post-consumer fiber.
1B	Paper Products	Paper Towels	Paper towels.	40 percent by fiber weight post-consumer fiber.
1C	Paper Products	Facial Tissues	Facial tissue.	10 percent by fiber weight post-consumer fiber.
1D	Paper Products	Toilet Seat Covers	Toilet seat covers.	20 percent by fiber weight post-consumer fiber.
1E	Paper Products	General Purpose Paper Wipes	General purpose paper wipes.	40 percent by fiber weight post-consumer fiber.
1F	Paper Products	Food Serviceware	Napkins, plates, bowls, food trays, takeout boxes, and placemats.	40 percent by fiber weight post-consumer fiber.
1G	Paper Products	Miscellaneous Paper Products	Cartons, wrapping, packaging, file folders, hanging folders, building insulation and panels, corrugated boxes.	30 percent by fiber weight post-consumer fiber.
2	Printing and Writing Papers	Printing and Writing Papers	Copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications.	30 percent by fiber weight post-consumer fiber.
3A	Soil Amendments and Toppings	Compost	Soil amendments, soil conditioner for potting or plant mix, organic materials used for water conservation; organic materials such as biosolids or other comparable substitutes such as livestock, horse, or other animal manure, food residues or fish processing byproducts; mechanical breakdown of materials.	80 percent recovered material that would otherwise be normally disposed of in a landfill.
3B	Soil Amendments and Toppings	Mulch	Ground covers, weed suppressants.	80 percent recovered material that would otherwise be normally disposed of in a landfill.
4A	Glass Products	Glass Products	Windows, test tubes, beakers, laboratory or hospital supplies, reflective beads, tiles, construction blocks, desktop accessories, flat glass sheets, loose-grain abrasives, deburring media, liquid filter media, and containers.	25 percent post-consumer, by weight.
4B	Glass Products	Fiberglass	Fiberglass (insulation),	30 percent post-consumer, by weight.
5	Lubricating Oils		Intended for use in a crankcase, transmission, engine, power steering, gearbox, differential chainsaw, transformer dielectric, fluid, cutting, hydraulic, industrial, or automobile, bus, truck, vessel, plane, train, heavy equipment, or machinery powered by an internal combustion engine.	70 percent re-refined base oil.
6	Plastic Products		Printer or duplication cartridges, diskette, carpet, office products, plastic lumber, buckets, wastebaskets, containers, benches, tables, fencing, clothing, mats, packaging, signs, posts, binders, sheet, buckets, building products, garden hose, and trays.	20 percent postconsumer, by weight; is remanufactured or has a take back program.
7A	Paint:	Low-VOC: < 50 grams/liter	Water-based paint, graffiti abatement, interior and exterior, and maintenance.	50 percent post-consumer paint.
7B	Paint:	Other VOC: > 50 grams/liter	Water-based paint, graffiti abatement, interior and exterior, and maintenance.	50 percent post-consumer paint.
8	Antifreeze		Recycled antifreeze, and antifreeze containing a bittering agent or made from polypropylene or other similar non-toxic substance.	70 percent post-consumer material.
9	Tires (Retreaded tires)		Truck and bus tires, and those used on fleet vehicles (and passenger cars where available).	Retreaded: Must use an existing casing that has undergone retreading or recapping process in accordance with Public Resource Code (commencing with section 42400).
10	Tire-Derived Products		Flooring, mats, wheelchair ramps, playground surfacing, sports surfacing, parking bumpers, bullet traps, hoses, bumpers, truck bedliners, pads, walkways, tree ties, wheel chocks, rollers, traffic-related products, mudflaps, accessibility ramps, paths and sidewalks, animal care products, including, but not limited to, horse arena surfacing, stall mats, cow mats, and equestrian barn and breezeway flooring, artificial turf, landscaping and rubber mulch, outdoor surfacing, pavers and tiles, and posts.	50 percent recycled used tires.
11A	Metal Products	Metal Products	Staplers, paper clips, steel furniture, desks, pedestals, scissors, jacks, rebar, pipe, plumbing fixtures, chairs, ladders, file cabinets, shelving, containers, lockers, sheet metal, girders, building and construction products, bridges, braces, nails, and screws.	10 percent post-consumer material, by weight.
11B	Metal Products	Vehicles	Vehicles.	10 percent post-consumer material, by weight.
12	Building Finishes	Open Office Panel Systems	Open office panel systems.	Middle range of state contracts.
13	Carpet		Carpet	Determined by DGS and Posted in SCM.
14A	Erosion Control Products	Compost Filter Socks	Compost filter sock.	100 percent post-consumer material.
14B	Erosion Control Products	Compost Blanket	Compost blanket, layer of compost protecting bare soil surfaces.	100 percent post-consumer material.
14C	Erosion Control Products	Hydraulic Mulch	Hydraulic mulch or erosion control process that uses fiber slurry and tackifier.	100 percent post-consumer material.
15A	Textiles	Textiles		0 percent post-consumer material.

15B	Textiles	General Textile Wipes	General purpose wipes.	100 percent post-consumer material.
16A	Pavement Surfacing	Rubberized Pavement Surfaces	Rubberized asphalt concrete and chip seal.	15 percent post-consumer material.
16B	Pavement Surfacing	Recycled Asphalt Pavement	Recycled Asphalt Pavement	25 percent post-consumer material.

*It is each agency's prerogative to assign internal codes/object codes for post-consumer recycled content products based on their internal paper or computer tracking systems.

[For additional information, please visit www.CalRecycle.ca.gov/BuyRecycled/StateAgency/](http://www.CalRecycle.ca.gov/BuyRecycled/StateAgency/)

ATTACHMENT F - CALIFORNIA SELLERS/RESELLER PERMIT OR CERTIFICATE OF REGISTRATION

Please provide your CA Seller's Permit or
Certificate of Registration Number: _____

Please see Section G., RFQ RESPONSE CONTENT, for the link to where this form may be located
and when it is required.

Submission of this attachment is mandatory when the conditions of Section G. are met. Failure to
provide this information with your bid may cause your bid to be rejected and deemed non-
responsive.

ATTACHMENT G - BIDDER DECLARATION

State of California—Department of General Services, Procurement Division
GSPD-05-105 (REV 08/09)

Solicitation Number 2023456

BIDDER DECLARATION

1. Prime bidder information (**Review attached Bidder Declaration Instructions prior to completion of this form**):

- a. Identify current California certification(s) (MB, SB, NVSA, DVBE): _____ Or None ____ If "None", go to Item #2)
- b. Will subcontractors be used for this contract? Yes ____ No ____ (If yes, indicate the distinct element of work your firm will perform in this contract e.g., list the proposed products produced by your firm, state if your firm owns the transportation vehicles that will deliver the products to the State, identify which solicited services your firm will perform, etc.). Use additional sheets, as necessary.

- c. If you are a California certified DVBE: (1) Are you a broker or agent? Yes ____ No ____
(2) If the contract includes equipment rental, does your company own at least 51percent of the equipment provided in this contract (quantity and value)? Yes ____ No ____ N/A ____

2. If no subcontractors will be used, skip to certification below. Otherwise, list all subcontractors for this contract. (Attach additional pages if necessary):

Subcontractor Name, Contact Person, Phone Number & Fax Number	Subcontractor Address & Email Address	CA Certification (MB, SB, NVSA, DVBE or None)	Work performed or goods provided for this contract	Corresponding percent of bid price	Good Standing?	51percent Rental?

CERTIFICATION: By signing the bid response, I certify under penalty of perjury that the information provided is true and correct.

X _____
Signature Date

BIDDER DECLARATION Instructions

All prime bidders (the firm submitting the bid) must complete the Bidder Declaration.

- 1.a. Identify all current certifications issued by the State of California. If the prime bidder has no California certification(s), check the line labeled “None” and proceed to Item #2. If the prime bidder possesses one or more of the following certifications, enter the applicable certification(s) on the line:
- Microbusiness (MB)
 - Small Business (SB)
 - Nonprofit Veteran Service Agency (NVSA)
 - Disabled Veteran Business Enterprise (DVBE)
- 1.b. Mark either “Yes” or “No” to identify whether subcontractors will be used for the contract. If the response is “No”, proceed to Item #1.c. If “Yes”, enter on the line the distinct element of work contained in the contract to be performed or the goods to be provided by the prime bidder. Do not include goods or services to be provided by subcontractors.

Bidders certified as MB, SB, NVSA, and/or DVBE must provide a commercially useful function as defined in Military and Veterans Code Section 999 for DVBEs and Government Code Section 14837(d)(4)(A) for small/microbusinesses.

Bids must propose that certified bidders provide a commercially useful function for the resulting contract or the bid will be deemed non-responsive and rejected by the State. For questions regarding the solicitation, contact the procurement official identified in the solicitation.

Note: A subcontractor is any person, firm, corporation, or organization contracting to perform part of the prime’s contract.

- 1.c. This item is only to be completed by the businesses certified by California as a DVBE.
- (1) Declare whether the prime bidder is a broker or agent by marking either “Yes” or “No.” The Military and Veterans Code Section 999.2(b) defines “broker” or “agent” as a certified DVBE Contractor or subcontractor that does not have title, possession, control, and risk of loss of materials, supplies, services, or equipment provided to an awarding department, unless one or more of the disabled veteran owners has at least 51-percent ownership of the quantity and value of the materials, supplies, services, and of each piece of equipment provided under the contract.
- (2) If bidding rental equipment, mark either “Yes” or “No” to identify if the prime bidder owns at least 51% of the equipment provided (quantity and value). If **not** bidding rental equipment, mark “N/A” for “not applicable.”

2. If no subcontractors are proposed, do not complete the table. Read the certification at the bottom of the form and complete “Page ___ of ___” on the form.

If subcontractors will be used, complete the table listing all subcontractors. If necessary,

2. (continued) Column Labels

Subcontractor Name, Contact Person, Phone Number & Fax Number—List each element for all subcontractors.

Subcontractor Address & Email Address—Enter the address and if available, an Email address.

CA Certification (MB, SB, NVSA, DVBE or None)—If the subcontractor possesses a current State of California certification(s), verify on the OSDC website (www.eprocure.pd.dgs.ca.gov).

Work performed or goods provided for this contract—Identify the distinct element of work contained in the contract to be performed or the goods to be provided by each subcontractor. Certified subcontractors must provide a commercially useful function for the contract. (See paragraph 1.b above for code citations regarding the definition of commercially useful function.) If a certified subcontractor is further subcontracting a greater portion of the work or goods provided for the resulting contract than would be expected by normal industry practices, attach a separate sheet of paper explaining the situation.

Corresponding % of bid price—Enter the corresponding percentage of the total bid price for the goods and/or services to be provided by each subcontractor. Do not enter a dollar amount.

Good Standing?—Provide a response for each subcontractor listed. Enter either “Yes” or “No” to indicate that the prime bidder has verified that the subcontractor(s) is in good standing for all of the following:

- Possesses valid license(s) for any license(s) or permits required by the solicitation or by law
- If a corporation, the company is qualified to do business in California and designated by the State of California Secretary of State to be in good standing.
- Possesses valid State of California certification(s) if claiming MB, SB, NVSA, and/or DVBE status

51% Rental?—This pertains to the applicability of rental equipment. Based on the following parameters, enter either “N/A” (not applicable), “Yes” or “No” for each subcontractor listed.

Enter “N/A” if the:

- Subcontractor is NOT a DVBE (regardless of whether or not rental equipment is provided by the subcontractor) or
- Subcontractor is NOT providing rental equipment (regardless of whether or not subcontractor is a DVBE)

Enter “Yes” if the subcontractor is a California certified DVBE providing rental

attach additional pages and complete the "Page ___ of ___" accordingly.

equipment and the subcontractor owns at least 51% of the rental equipment (quantity and value) it will be providing for the contract.

Enter "**No**" if the subcontractor is a California certified DVBE providing rental equipment but the sub-Contractor does NOT own at least 51% of the rental equipment (quantity and value) it will be providing.

Read the certification at the bottom of the page and complete the "Page ___ of ___" accordingly.

ATTACHMENT H - Commercially Useful Function Documentation

All certified small business, micro business, or DVBE contractors, subcontractors or suppliers shall meet the CUF requirements under GC section 14837(d) (4)(A) (i-v) (for SB) and Military and Veterans Code section 999(b)(5)(B) (i) (I-V) (for DVBE) as stated below.

VENDOR NAME: _____

SUBCONTRACTOR NAME: _____

Mark all that apply: DVBE ☐ Small Business ☐ Micro Business ☐

SECTION 1:

A person or entity is deemed to perform CUF, if a person or entity **does** all of the following. (Please answer the following questions.)

I.	Is responsible for the execution of a distinct element of the work of the Agreement.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
II.	Carries out the obligation by actually performing, managing, or supervising the work involved.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
III.	Performs work that is normal for its business services and functions.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
IV.	Is responsible, with respect to products, inventories, materials, and supplies required for the Agreement, for negotiating price, determining quality and quantity, ordering, installing, if applicable, and making payment.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
V.	Is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

NOTE: A response of "No" to any of the questions above may result in your Response to be deemed **non-responsive** and disqualified.

SECTION 2:

The Bidder shall provide a written statement detailing the role, services and/or goods the subcontractor(s) will provide to meet the CUF requirement.

VI.	Describe the specific role(s) of the subcontractor for this project (e.g. data conversion, training, etc.):	
VII.	Describe the goods/services to be provided for this project (include a description of the bidder versus the subcontractor responsibilities for each role):	

SIGNATURE OF VENDOR (PRIME): _____

DATE: _____

ATTACHMENT I - SMALL BUSINESS CERTIFICATION

This page is intentionally blank. This is a placeholder for the Small Business Certification, if applicable.

Submission of this attachment is mandatory when the conditions of Section G. are met. Failure to complete and return this attachment with your bid may cause your bid to be rejected and deemed non-responsive.

ATTACHMENT J - DVBE DECLARATION FORM, STD. 843

Bidder's DVBE Declaration Form, [STD. 843](https://www.documents.dgs.ca.gov/dgs/fmc/gs/pd/pd_843.pdf), can be found via:
https://www.documents.dgs.ca.gov/dgs/fmc/gs/pd/pd_843.pdf

Submission of this attachment is mandatory when the conditions of Section G. are met. Failure to complete and return this attachment with your bid may cause your bid to be rejected and deemed non-responsive.

ATTACHMENT K - CALIFORNIA CIVIL RIGHTS LAWS

Pursuant to Public Contract Code section 2010, if a Bidder or proposer executes or renews a contract over \$100,000 on or after January 1, 2017, the Bidder or proposer hereby certifies compliance with the following:

1. CALIFORNIA CIVIL RIGHTS LAWS: For contracts over \$100,000 executed or renewed after January 1, 2017, the contractor certifies compliance with the Unruh Civil Rights Act (Section 51 of the Civil Code) and the Fair Employment and Housing Act (Section 12960 of the Government Code); and
2. EMPLOYER DISCRIMINATORY POLICIES: For contracts over \$100,000 executed or renewed after January 1, 2017, if a Contractor has an internal policy against a sovereign nation or peoples recognized by the United States government, the Contractor certifies that such policies are not used in violation of the Unruh Civil Rights Act (Section 51 of the Civil Code) or the Fair Employment and Housing Act (Section 12960 of the Government Code).

CERTIFICATION

I, the official named below, certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Proposer/Bidder Firm Name (Printed)	Federal ID Number
By (Authorized Signature)	
Printed Name and Title of Person Signing	
Executed in the County of	Executed in the State of
Date Executed	

ATTACHMENT L - TARGET AREA CONTRACT PREFERENCE ACT (TACPA)

1. TACPA form [STD 830](#) is the application to apply for TACPA preferences for contracts involving the purchase of goods and/or services.
2. Manufacturer's Summary – TACPA (Contract Activities and Labor Hours) form [DGS PD 525](#) is used for contracts involving the purchase of goods manufactured under the contract.
3. Bidder's Summary – TACPA (Contract Activities and Labor Hours) form [DGS PD 526](#) is used for contracts involving the purchase of services.

Please see SECTION G., RFQ RESPONSE CONTENT, for more information about this preference program.

Inclusion of these forms are only required if the Bidder is claiming the preference

EXHIBIT A - STATEMENT OF WORK (SOW)**1. Background**

The contractor, (TBD), will provide the State of California Air Resources Board (CARB) with (4) Portable Emission Measuring Systems (PEMS) and (4) Calibration Services for PEMS. The PEMSs are required to support testing according to the upcoming Low NO_x emission regulations in the US. The acquisition will allow laboratory staff throughout Southern California to perform testing to support the enforcement of vehicle emission regulations and implement and maintain CARB's emission reduction programs.

Item No.	QTY	Unit	Commodity Code	Description
1.	4	EA	N/A	AVL M.O.V.E Portable Emission Measuring Systems (PEMS)- Gas PEMS IX Low NO _x Or comparable
2.	4	EA	N/A	The initial US EPA-1065 Calibration Services for PEMS Or Comparable

2. Technical Requirements

The AVL M.O.V.E GAS PEMS IX Low NO_x is a portable emission measurement system (PEMS) based on the GAS PEMS IX. It features a new NDUV Low NO_x Analyzer providing highest accuracy at the very low measurements. This low range is required to support testing according to the upcoming Low NO_x emission regulations in the US. PEMS IX Low NO_x specifications are listed in the table below.

Measurement range (Principle)	THC: 0 – 30,000 ppmC1 (2C-FID) CH4: 0 - 10,000 ppmC1 (2C-FID) NO: 0-500 ppm (NDUV) NO2: 0 – 500 ppm (NDUV) CO: 0 - 5 vol.% (NDIR) CO2: 0 - 20 vol.% (NDIR)
Measurement accuracy	CO: 0 – 1,499 ppm: +/-30 ppm abs., 1,500 ppm – 49,999 ppm: +/-2 % rel. CO2: 0.3% of FS or +/-2 % rel. NO: +/- 1ppm or +/-2 % rel. NO2: +/- 1ppm or +/-2 % rel. THC: +/-5 ppm C1 or 2 % rel. CH4: +/-5 ppm C1 or 2 % rel. O2: +1 vol.% FS at constant temperature and pressure
Zero Drift NO/ NO2	NO: +/-1 ppm/ 8hrs NO2: +/-1 ppm/ 8hrs
Rise Time T10 – T90	NO: ≤ 3,2s; NO2; ≤ 3,5s; CO/CO2/THC/CH4: ≤ 2.5s

3. Calibration Services

US CFR 1065 calibrations are performed prior to final shipment to CARB. Testing results are logged and documented with the executed work steps in a calibration report, which is available to CARB.

INITIAL 1065 Calibration for Gas PEMS IX Low NOx

The following verifications for the Gas PEMS are required and carried out for 1065:

- Linearity Verification - Temperature TEC1 1065.307
- Linearity verification - Temperature TEC2 1065.307
- Linearity verification - TEC1 and TEC2 Pressure 1065.307
- Linearity Verification CO 1065.307
- Linearity Verification CO2 1065.307
- Linearity Verification NO 1065.307
- Linearity Verification NO2 1065.307
- Linearity Verification THC 1065.307
- FID Optimization and Verification 1065.360
- FID O2 interference verification 1065.362
- H2O interference verification for CO2 NDIR analyzers 1065.350
- H2O and CO2 interference verification for CO NDIR analyzers 1065.355
- NDUV analyzer HC and H2O interference verification 1065.372
- Sample dryer verification 1065.342
- Chiller NO2 penetration 1065.376
- Accuracy Repeatability and Noise Verification CO 1065.305
- Accuracy Repeatability and Noise Verification CO2 1065.305
- Accuracy Repeatability and Noise Verification NO 1065.305
- Accuracy Repeatability and Noise Verification NO2 1065.305
- Accuracy Repeatability and Noise Verification THC 1065.305
- System Response Time CO 1065.308
- System Response Time CO2 1065.308
- System Response Time NO 1065.308
- System Response Time NO2 1065.308
- System Response Time THC 1065.308

4. Shipping Address:

California Air Resources Board
Attn: TBD
4001 Iowa St
Riverside CA 92507

5. Project Representatives:

The Contract Managers during the term of this contract are as follows:

State Dept:	CA Air Resources Board	Contractor:	TBD
Section/Unit:	OIS	Section/Unit:	
Attention:	Jesse Robey	Attention:	
Address:	1001 I Street, 8th floor Sacramento, CA 95814	Address:	
Phone:	(279) 842-9957	Phone:	
Fax:	(916) 327-0640	Fax:	
E-mail:	ITProcurements@arb.ca.gov	E-mail:	

The Project Managers during the term of this contract are as follows:

State Dept:	CA Air Resources Board	Contractor:	TBD
Section/Unit:	MLD	Section/Unit:	
Attention:	TBD	Attention:	
Address:	4001 Iowa St Riverside CA 92507	Address:	
Phone:	TBD	Phone:	
Fax:		Fax:	
E-mail:	TBD	E-mail:	

Direct all questions to the Contract Manager. The parties may change their Contract Representative(s) upon providing ten (10) days written notice to the other party's Contract Representative(s). The notifying party shall provide complete contact information for the replacement Contract Representative(s) to include the information provided above.

EXHIBIT B - BUDGET PROVISIONS

A. INVOICING & PAYMENT

1. For services satisfactorily rendered, and upon receipt and approval of the invoice(s), CARB agrees to compensate the Contractor for costs specified in accordance with Exhibit B-1, Contractor's Cost Worksheet.
2. INVOICES: Unless otherwise specified, original invoices shall be submitted via email to AccountsPayable@arb.ca.gov and ITFinancials@arb.ca.gov or sent to the "Bill To" address on the face of the purchase order. Invoices shall be submitted in triplicate and shall include:
 - Purchase Order number
 - Item number/item description
 - Service or ID number (if applicable)
 - Unit price
 - Extended item price
 - Invoice total amount

State sales tax, installation cost, shipping/freight costs, and/or other non-taxable costs shall be itemized separately and added to each invoice as applicable.

3. REQUIRED PAYMENT DATE: Payment will be made in accordance with the provisions of the California Prompt Payment Act, Government Code Section 927 et seq. Unless expressly exempted by statute, the Act requires state agencies to pay properly submitted, undisputed invoices not more than 45 days after (a) the date of acceptance of goods or performance of services; or (b) receipt of an undisputed invoice - whichever is later.

B. BUDGET CONTINGENCY CLAUSE

1. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this contract does not appropriate sufficient funds for the program, this contract shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this contract and Contractor shall not be obligated to perform any provisions of this contract.
2. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this contract with no liability occurring to the State or offer an contract amendment to Contractor to reflect the reduced amount.

C. PROMPT PAYMENT CLAUSE

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

D. TRAVEL

There shall be no travel or per diem paid under this contract. Contractor shall provide and be responsible for all labor, parts, travel, and materials and equipment needed to perform the services detailed in this contract.

E. TIMELY SUBMISSION OF FINAL INVOICE

Based on the contract expiration date, a final undisputed invoice shall be submitted for payment no more than thirty (30) calendar days following the expiration or termination date of this contract.

EXHIBIT B-1 - COST WORKSHEET

Item No.	QTY	Unit	Commodity Code	Description	Unit Price	Price Extension	Taxable Y/N
1.	4	EA	N/A	AVL Portable Emission Measuring Systems (PEMS)- Gas PEMS IX Low NOx Or comparable	\$	\$	
2.	4	EA	N/A	The initial US EPA-1065 Calibration Services for PEMS Or Comparable	\$	\$	
Sub-total						\$	
Shipping and Handling*						\$	
Non-Taxable						\$	
Sales Tax 8.75%						\$	
Total Proposed Price						\$	

Note:

***Freight:** FOB Destination Only. Include all freight, shipping, handling in unit price.

Ordering Terms: Final product to be delivered within 45 days upon receipt of the purchase order.