



Department of Public Services
1015 South Lincoln Avenue • Three Rivers, Michigan 49093
269.273.1845 • www.threeriversmi.org
Fax: 269.273.1042

REQUEST FOR ENGINEERING PROPOSALS
FY 2014 AND 2015 ROADWAY AND UTILITY REPLACEMENT PROGRAM
CITY OF THREE RIVERS
ST JOSEPH COUNTY, MICHIGAN

The City of Three Rivers is requesting proposals for professional design, bidding and construction engineering services in conjunction with the City's FY 2014 and 2015 Roadway and Utility Replacement Program.

Scope of Roadway and Utility Replacement Program

Constantine (Millard to W Michigan)

The scope of the project includes replacement of a 4-inch water line in Constantine St with a new 8-inch line. Replacement includes new fire hydrants, system valves, and service connections from the main to curb stop. Limited sanitary sewer repairs are also included in the project scope. It is anticipated that these will include localized dig up and repair of cracked segments in pipe. There is a small triangular park that separates two different sections of Constantine St, both of which will be reconstructed as a part of this project. Additional drainage will need to be added to Constantine St, especially on the small, more local section east of the triangular park. Millard road includes replacement of a 4-inch water line with a new 8-inch between Spring St and Thomas St. Limited sanitary repairs are also included in the project scope for this roadway, along with storm sewer rehabilitation and replacement. Both sections include full HMA pavement and concrete curb and gutter removal and replacement. Sidewalk replacement to meet ADA standards will be part of the project scope. The project area is shown in the attached drawing.

East Street

The scope of the project includes replacement of a 4-inch water line in East St from Portage Ave to Hoffman Rd. It also includes the removal of the existing 8-inch sanitary sewer and replacement with a new 8-inch main. Storm sewer rehabilitation will occur throughout the entire project. Some storm sewer replacement and redesign will be expected since there is at least one known conflict between the storm and sanitary sewers. Full removal and replacement of the HMA top course and concrete base, along with the concrete curb and gutter will also occur. Sidewalk replacement to meet ADA standards will be part of the project scope. The project area is shown in the attached drawing. The portion of this project that is located near the elementary school will be completed before school resumes on the Tuesday after Labor Day.

Scope of engineering design and construction services

The general scope of anticipated professional engineering services is outlined below. Additional services or modifications to the services outlined below, as deemed appropriate by the respondent, should be identified in the response to this RFP.

Design Services

1. **PRE DESIGN CONFERENCE:** Attend pre-design conference with City Department of Public Services (DPS) staff to review anticipated scope of work and deliverables.
2. **TOPOGRAPHIC SURVEYS:** Secure topographic surveys of the street rights-of-way for the proposed improvements. The limits of topographic surveys shall extend twenty (20) feet beyond the right-of-way of the individual parcels and fifty (50) feet beyond the proposed terminal limits of construction indicated in the enclosed area maps.

Topographic surveys shall include all above ground topographic features within the limits noted above, including, but not limited to, block corners, road edge of metal/top of HMA, curb and centerline at 50-foot intervals, driveway approaches, utility poles and structures, mail boxes, trees, plantings, fences, and landscaped areas.

Topographic surveys shall include the locations of all underground utilities including water mains, sanitary sewer, storm sewer, natural gas, electric, telephone, fiber optic and cable TV. Top of casting and pipe invert elevations shall be provided for all structures. Sump elevations shall be provided for structures, where applicable.

Prior to commencing the survey work, City of Three Rivers DPS staff will flag/mark individual water service curb valves. The location of the sanitary sewer service wyes will be determined from the sewer televising discussed below.

3. **SANITARY SEWER REHABILITATION:** The City DPS will contract with a company to complete the CCTV inspections of the sanitary sewers. The City will provide the consultant with the relevant CCTV DVD records for purposes of identifying the appropriate sewer repair method and incorporating the work into the project scope.
4. **PRELIMINARY BID DOCUMENTS:** Develop preliminary bid documents consisting of plans with a title sheet, utility information/note sheet(s), standard detail sheet(s) overall plan sheet, and base plan and profile sheets. Base plan and profile sheets shall be developed at a scale of 1 inch=20 feet (plan) and 1 inch=4 feet (profile). Plans shall be developed in AutoCAD 2012, and located in the City's coordinate system.

The City will provide standard water main, storm sewer, and sanitary sewer specifications for use in the bid documents. The front end of the bid documents shall utilize Engineers Joint Contracts Document Committee standard documents.

One paper set and a pdf copy of the preliminary plans shall be submitted to the City DPS for review and comment. Two (2) review meetings with the City DPS staff shall be included in the proposal.

5. **SOIL BORINGS:** The City will secure the services of a geotechnical firm to complete soil borings for the project, based upon the approved preliminary design of the underground utilities.
6. **FINAL BID DOCUMENTS:** Develop final bid documents consisting of plans and specifications. One paper set and a pdf copy of the final plans shall be submitted to the City DPS for review and comment. One (1) review meeting with the City staff should be included in the proposal.
7. **PERMITS:** Assist the City with securing the required MDEQ and SESC permits/approvals. Provide the required sets of sealed plans and specifications for applying for all of the required permits.

Bidding Services

1. The scope of services is anticipated to include distribution of bid documents to prospective bidders and plan rooms, address questions from prospective bidders, issue addendums as necessary, attend bid opening, review bids and meet with City staff to develop a recommendation of award to the low, responsive bidder. Consultant shall also plan to attend the City Commission meeting were the construction contract will be recommended for award.

Construction Engineering Services

1. Prepare contract documents for execution by the City and Contractor.
2. Schedule and attend pre-construction meeting.
3. Provide construction staking for the proposed roadway and utility improvements.
4. Provide office administration including, but not limited to shop drawing processing, periodic payment, bulletin, and change order processing, coordination of field resident project representatives and material testing consultant services.
5. Provide one (1) full-time, experienced (a minimum of 5 years of relevant field experience required) resident project representative (RPR) to monitor the construction of the roadway and underground utilities contract. Provide written daily reports of the RPR to the City DPS on a weekly basis.
6. Conduct monthly progress meetings at the Three Rivers City Hall.
7. With City staff, develop a project punch list of items to be completed and/or corrected and provide administration to complete punch list items.
8. Deliver project record drawings in AutoCAD and pdf formats, and one (1) copy in paper format to the City DPS staff.
9. Attend City Commission meetings when change orders, or other major contract changes are brought before them.

Anticipated project schedule

	Constantine and Millard	East
Award of engineering services	August 2013	August 2013
Complete Preliminary Design Layout	October 2013	October 2013
Complete Final Design	November 2013	November 2013
Submit for necessary permits	December 2013	December 2013
Advertise Project for Bids	January 2014	January 2014
Receive Bids for Project	February 2014	February 2014
Award construction Contract	February 2014	February 2014
Commence Construction	March 15, 2014	July 1, 2014
Complete Construction	June 1, 2014	October 15, 2014

City-provided information and data

In conjunction with the proposed project, the City of Three Rivers will provide the following information and data:

- 2007 color aerial photography in .tiff or .sid format, and current parcel base mapping in .dwg file format.
- GIS information, and access to record drawing information on existing utilities. With regards to GIS data, we have 90% data on the water system, 50%-55% data on the sanitary sewer system, and 15%-20% data on the storm sewer system.
- CCTV DVD of sanitary sewer
- Water service curb stop locations

Submittal of Proposals

Proposals should be submitted to the City of Three Rivers, City Clerk; 333 W Michigan Avenue; Three Rivers, MI 49093 by 11:00 am on Friday August 9, 2013. It is anticipated that the contract for engineering services will be awarded by the City Commission on Tuesday, August 20, 2013.

Constantine (Millard to W Michigan) and Millard (Constantine to Thomas)

The proposal for design and bidding services should be submitted on a lump sum fee basis. The lump sum fees shall include all labor, material and expenses required to complete the proposed design and bidding services described herein.

The proposal for construction administration and RPR services should be submitted on a time and material, estimated basis. For purposes of the proposal, assume a ten (10) week construction period and 50 hours per week of RPR effort. The proposal should identify all reimbursable expenses, including but not limited to mileage and meals.

The respondent is requested to submit a breakdown of hours by staff classification for the design, bidding, and construction administration services. Respondent is also requested to submit an hourly rate sheet showing the charges for any items not included in the original project scope.

East Street (Portage Ave to Hoffman Rd)

The proposal for design and bidding services should be submitted on a lump sum fee basis. The lump sum fees shall include all labor, material and expenses required to complete the proposed design and bidding services described herein.

The proposal for construction administration and RPR services should be submitted on a time and material, estimated basis. For purposes of the proposal, assume a fourteen (14) week construction period and 50 hours per week of RPR effort. The proposal should identify all reimbursable expenses, including but not limited to mileage and meals.

The respondent is requested to submit a breakdown of hours by staff classification for the design, bidding, and construction administration services. Respondent is also requested to submit an hourly rate sheet showing the charges for any items not included in the original project scope.

Bid Form

The undersigned having familiarized (himself/themselves) with the local conditions affecting the cost of the work and the Contract Documents hereby proposes to perform everything required to be performed and to provide and furnish all labor, materials, necessary tools, equipment, utility and transportation services necessary to perform and complete in a workmanlike manner all work required for Micro surfacing in accordance with the specifications as prepared by the Department of Public Services, City of Three Rivers, Michigan, for, including Addenda No. ____ issued thereto, the following unit prices:

COMPANY _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

SIGNATURE _____ TITLE _____

TELEPHONE _____ DATE _____

Constantine Street and Millard Road; and East Street Engineering

Item No.	Item Description	Quantity	Unit	Unit Price	Total Price
Constantine Street and Millard Road					
1	Design Engineering Services	1	LS		
2	Bidding Engineering Services	1	LS		
3	Construction Engineering Services	1	LS		
Total Constantine Street and Millard Road Bid					
East Street					
4	Design Engineering Services	1	LS		
5	Bidding Engineering Services	1	LS		
6	Construction Engineering Services	1	LS		
Total East Street					
Bid Total					

Appendix

Project Maps



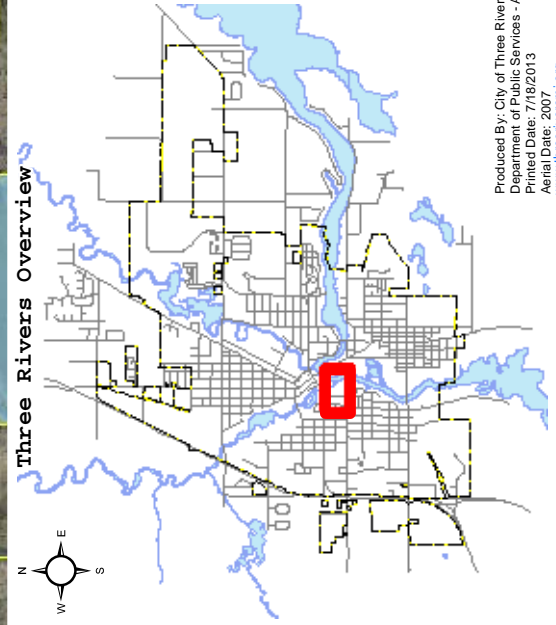
Street & Utility Improvements

Millard - Constantine to Thomas Constantine - Millard to W. Michigan

Three Rivers, MI

Legend

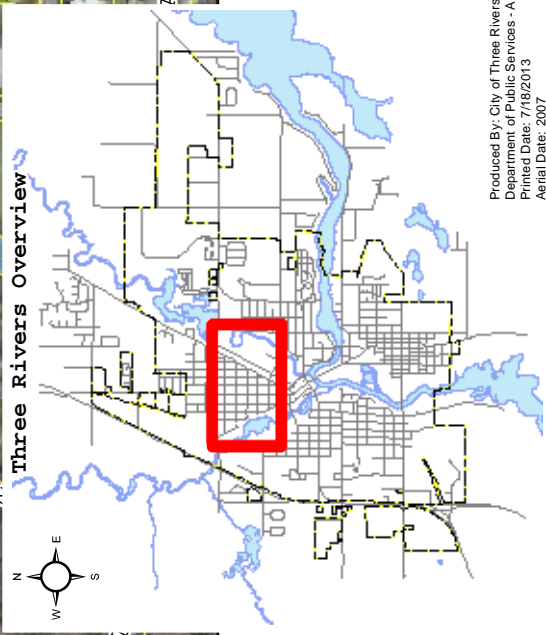
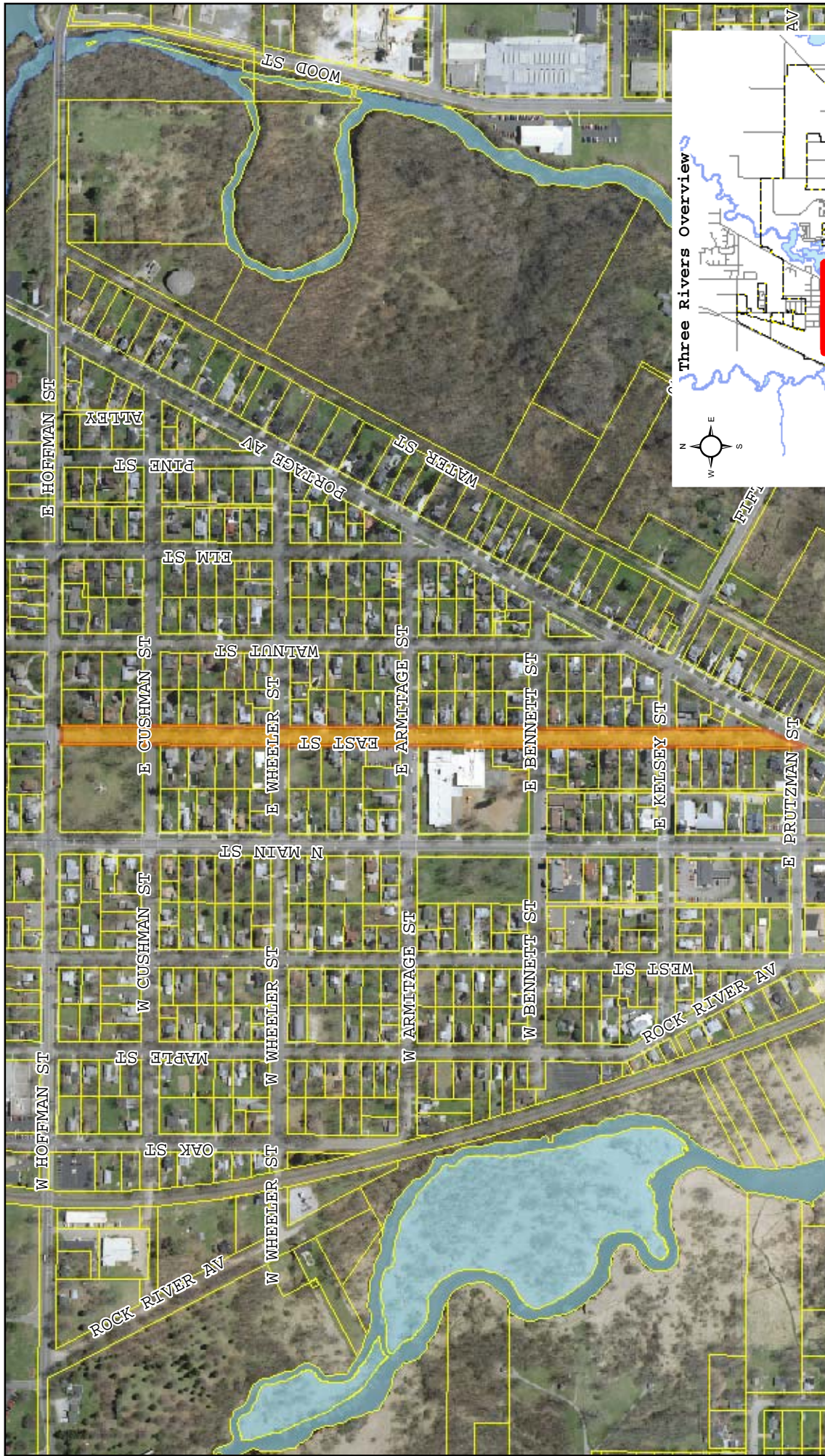
- Project Area
- City Parcel



Three Rivers Overview



This map is provided by the City of Three Rivers (the "City"). The person or entity receiving this map (the "User") agrees: (1) that there are no warranties of any kind; (2) that use of this map is at the User's sole risk; (3) that the City shall not be liable for any damages to User or any third party; and (4) this map may not be used by any third party without the specific written consent of the City.



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 Department of Public Services - ARW
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www.threeriversmi.org

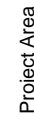
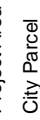
Street & Utility Improvements

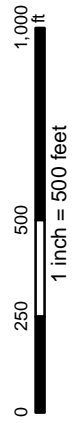
East St. - Portage to Hoffman

Three Rivers, MI

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Legend

-  Project Area
-  City Parcel



Local Preference Policy

THE CITY OF THREE RIVERS
LOCAL BID PREFERENCE GUIDELINES

CITY COMMISSION GUIDELINES FOR LOCAL BID PREFERENCE TO COMMUNITY-BASED BUSINESSES ON CITY PROCUREMENT CONTRACTS.

SECTION 1. Introduction. When a Community-based business, as defined in the Guidelines, submits a responsive bid that is within a certain percentage of the lowest responsive bid received from a non-Community-based bidder, the Community-based business may be considered by the City Commission as the lowest responsive and responsible bidder subject to these Guidelines.

SECTION 2: Preference for local bidders or offerors. A Community-based business may be awarded a contract as the lowest responsive and responsible bidder under the circumstances specified in these Guidelines.

SECTION 3: Definitions. For purpose of these Guidelines, the following definitions shall apply:

(a) **Community-based business** means the physical and economic relationship to the City evidenced by the main business office or other facility physically located within the "49093 Zip Code Area" as designated by the United States Postal Service.

(b) **Subcontractor** means a person or company that assumes, by secondary contract, some or all of the obligations of an original contractor.

(c) **Joint venture** means a cooperation between two or more parties for a particular project in which they share the responsibilities and profits associated with the project.

SECTION 4: Preference for Community-based businesses on contracts. When sealed bids are received by the City in a total amount greater than Seven Thousand Five Hundred (\$7,500.00) Dollars, the following shall apply:

(a) If the lowest bidder is not a Community-based business, a Community-based business with a bid within five (5%) percent of the lowest bid that has been deemed responsive and responsible under the Purchasing Ordinance shall be deemed the lowest bidder. The percentage difference in this Guideline may be revised from time to time as the City Commission deems appropriate.

(b) If no Community-based business is within the existing percentage of the lowest bid, as provided above, then the contract shall be awarded to the person or

business with the lowest, most responsive and responsible bid.

(c) Any Community-based business awarded a contract pursuant to these Guidelines shall agree to make available to the City all records necessary to establish eligibility and compliance with all provisions of these Guidelines.

SECTION 5. Bonding requirements.

(a) The City may eliminate bid, performance, and payment bonding requirements when the City Commission deems it appropriate for a Community-based business, except for contracts for construction, alterations or repairs exceeding Twenty Five Thousand (\$25,000.00) Dollars.

(b) The City may allow for joint ventures or other documented business arrangements to enable Community-based businesses to meet bonding requirements for contracts greater than Twenty Five Thousand (\$25,000.00) Dollars.

SECTION 6. Notice to prospective bidders. When soliciting competitive bids, the City Manager shall cause prospective bidders to be notified of the City's local bid preference Guidelines.

SECTION 7. Qualification Determination. A Community-based business that seeks to qualify for a local bid preference may be required to submit an affidavit as to its qualifications for bid preference and/or be required to furnish such documentation as the City Manager may reasonably require to determine its qualification for a local bid preference.

SECTION 8. Subcontractors. In awarding a local bid preference under these Guidelines, the City Commission may ask the Community-based business to give appropriate assurances that if awarded a contract the Community-based business will utilize the services and/or supplies and materials from Community-based businesses for more than fifty (50%) percentage of the total amount of the contract.

SECTION 9. Considerations in awarding local bid preference. All contracts awarded under these Guidelines shall be awarded pursuant to a responsive bid from a Community-based business and to a responsible bidder as determined by the City Commission. In accepting a bid under these Guidelines, the City Commission may consider some or all of the following:

- (1) The ability, capacity and skill of the bidder to perform the contract or provide the service required.
- (2) Whether the bidder can perform the contract or provide the service promptly or within the time specified, without delay or interference.
- (3) The character, integrity, reputation, judgment, experience and efficiency of the bidder.
- (4) The quality of performance of previous contracts or services.

- (5) The previous and existing compliance by the bidder with laws and ordinances relating to any contract or service.
- (6) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.
- (7) The quality, availability and adaptability of the supplies or contractual services to the particular use required.
- (8) The ability of the bidder to provide future maintenance and services for the use of the subject of the contract.
- (9) The number and scope of the conditions attached to the bid.

SECTION 10. Guidelines only. The City Commission has adopted these Guidelines pursuant of its policy to support local businesses in the procurement of City goods, services and capital improvements whenever reasonably possible in the best interest of the City, its taxpayers and residents. The Guidelines may be revised at any time by proper action of the City Commission or in a specific incidence the City Commission, acting in compliance with the City Charter and the City Code, may elect not to follow these Guidelines.

These Guidelines were duly adopted by the Three Rivers City Commission at a regular meeting of the City Commission held on September 1, 2009.



Allen J. Balog, Mayor

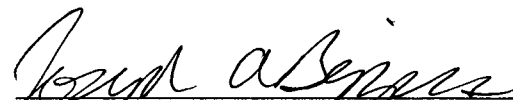
Attest:



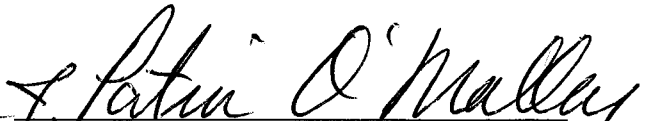
Lindsay Howes, City Clerk

Reviewed for Administration:

Approved as to Form:



Joseph A. Bippus, City Manager



J. Patrick O'Malley, City Attorney

Sole Proprietor and W-9 Form



SOLE PROPRIETOR FORM
For Sole Proprietor's with Employees

For workers' compensation purposes we are required to maintain verification regarding workers' compensation coverage for all of our independent contractors.

You must provide the following information if you: a) Are a sole proprietor with employees. Attach to this form evidence of workers compensation insurance on your employees.

1) Name of Sole Proprietor: _____

2) Federal Tax Identification Number or last 4 digits of Social Security No. _____

3) I am doing business as: _____

Please attach *one* of the following:

- A copy of the assumed name certificate you filed with the county; or
- Your business card; or
- A copy of your advertisement (Yellow Pages, Newspaper, etc.); or
- List one other business or private homeowner that you have worked for during the period of July 1, through current date, including the name and address: _____

Please complete the following statement:

I, _____, a Sole Proprietor with employees will provide services to the **City of Three Rivers** on a periodic basis. I do understand that I am not entitled to workers' compensation benefits under Michigan's Law, therefore, I am personally responsible for any injuries/illnesses I may sustain while performing my services to said entity.

Dated at: _____, on this _____ day of _____, _____.

Signed: _____
Sole Proprietor

STATE OF MICHIGAN, COUNTY OF _____

On this _____ day of _____, _____ before me personally appeared, who being duly sworn did state that s/he is not entitled to workers' compensation benefits as indicated under Michigan's Law, and will not hold responsible the above named entity s/he may provide services to for any injury(ies) illness(es) s/he may sustain while performing such indicated services.

Notary Public, _____ County

My commission expires _____



**WORKERS' COMPENSATION INSURANCE
SOLE PROPRIETOR FORM
For Sole Proprietor's with NO Employees**

For workers' compensation purposes we are required to maintain verification regarding workers' compensation coverage for all of our independent contractors.

You must provide the following information if you: a) Are a sole proprietor with no employees, and
b) Do not carry workers' compensation insurance.

1) Name of Sole Proprietor: _____

2) Federal Tax Identification Number or last 4 digits of Social Security No. _____

3) I am doing business as: _____

Please attach *one* of the following:

A copy of the assumed name certificate you filed with the county; or

Your business card; or

A copy of your advertisement (Yellow Pages, Newspaper, etc.); or

List one other business or private homeowner that you have worked for during the period of July 1, through current date, including the name and address: _____

Please complete the following statement:

I, _____, a Sole Proprietor with no employees will provide services to the **City of Three Rivers** on a periodic basis. I do understand that I am not entitled to workers' compensation benefits under Michigan's Law; therefore, I am personally responsible for any injuries/illnesses I may sustain while performing my services to said entity.

Dated at: _____, on this _____ day of _____, _____.

Signed: _____
Sole Proprietor

STATE OF MICHIGAN, COUNTY OF _____

On this _____ day of _____, _____ before me personally appeared, who being duly sworn did state that s/he is not entitled to workers' compensation benefits as indicated under Michigan's Law, and will not hold responsible the above named entity s/he may provide services to for any injury(ies) illness(es) s/he may sustain while performing such indicated services.

Notary Public, _____ County

My commission expires _____

Request for Taxpayer Identification Number and Certification

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

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <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) ▶ _____ <input type="checkbox"/> Other (see instructions) ▶ _____	
	<input type="checkbox"/> Exempt payee	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
City, state, and ZIP code		
List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

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

Social security number									

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

Employer identification number									

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).

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

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

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

Purpose of Form

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

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

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.

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

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 on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the 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 withholding on your share of partnership income.

The person who gives 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 is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,
- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

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

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a “saving clause.” Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the 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 not subject to backup withholding, give the requester the appropriate completed Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS a percentage 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, 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 the instructions below and the separate Instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

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

Name

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

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

Sole proprietor. Enter your individual name as shown on your income tax return on the “Name” line. You may enter your business, trade, or “doing business as (DBA)” name on the “Business name/disregarded entity name” line.

Partnership, C Corporation, or S Corporation. Enter the entity's name on the “Name” line and any business, trade, or “doing business as (DBA) name” on the “Business name/disregarded entity name” line.

Disregarded entity. Enter the owner's name on the “Name” line. The name of the entity entered on the “Name” line should never be a disregarded entity. The name on the “Name” line must be the name shown on the income tax return on which the income will be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a domestic owner, the domestic owner's name is required to be provided on the “Name” line. 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 the “Business name/disregarded entity name” line. If the owner of the disregarded entity is a foreign person, you must complete an appropriate Form W-8.

Note. Check the appropriate box for the federal tax classification of the person whose name is entered on the “Name” line (Individual/sole proprietor, Partnership, C Corporation, S Corporation, Trust/estate).

Limited Liability Company (LLC). If the person identified on the “Name” line is an LLC, check the “Limited liability company” box only and enter the appropriate code for the tax classification in the space provided. If you are an LLC that is treated as a partnership for federal tax purposes, enter “P” for partnership. If you are an LLC that has filed a Form 8832 or a Form 2553 to be taxed as a corporation, enter “C” for C corporation or “S” for S corporation. If you are an LLC that is disregarded as an entity separate from its owner under Regulation section 301.7701-3 (except for employment and excise tax), do not check the LLC box unless the owner of the LLC (required to be identified on the “Name” line) is another LLC that is not disregarded for federal tax purposes. If the LLC is disregarded as an entity separate from its owner, enter the appropriate tax classification of the owner identified on the “Name” line.

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

Exempt Payee

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

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

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

The following payees are exempt from backup withholding:

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

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

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 9
Broker transactions	Exempt payees 1 through 5 and 7 through 13. Also, C corporations.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 7 ²

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

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

Part I. Taxpayer Identification Number (TIN)

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

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

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on page 2), 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 Social Security Administration office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting IRS.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

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

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

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

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, below, and items 4 and 5 on page 4 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 the "Name" line must sign. Exempt payees, see *Exempt Payee* on page 3.

Signature requirements. Complete the certification as indicated in items 1 through 3, below, and items 4 and 5 on page 4.

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

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

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

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

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

What Name and Number To Give the Requester

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

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

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

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

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 1.

*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, social security number (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. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: spam@uce.gov or contact them at www.ftc.gov/idtheft or 1-877-IDTHEFT (1-877-438-4338).

Visit 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. 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.