

APPENDIX D-4

Beneficiary Eligible Mitigation Action Certification



Solana Center Dual Level II Project

NM-VW-20-07

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary State of New Mexico

Lead Agency Authorized to Act on Behalf of the Beneficiary New Mexico Environment Department

(Any authorized person with delegation of such authority to direct the Trustee delivered to the Trustee pursuant to a Delegation of Authority and Certificate of Incumbency)

Action Title:	Solana Center Dual Level II Project
Beneficiary’s Project ID:	NM-VW-20-07
Funding Request No.	<i>(sequential) 014</i>
Request Type: (select one or more)	<input checked="" type="checkbox"/> Reimbursement <input type="checkbox"/> Other (specify): Click or tap here to enter text.
Payment to be made to: (select one or more)	<input type="checkbox"/> Beneficiary <input checked="" type="checkbox"/> Other (specify): Santa Fe County
Funding Request & Direction (Attachment A)	<input checked="" type="checkbox"/> Attached to this Certification <input type="checkbox"/> To be Provided Separately

SUMMARY

Eligible Mitigation Action <input checked="" type="checkbox"/> Appendix D-2 item (specify): Eligible Mitigation Action 9. Light Duty Zero Emission Vehicle Supply Equipment
Action Type <input type="checkbox"/> Item 10 – DERA Option (5.2.12) (specify and attach DERA Proposal)
Explanation of how funding request fits into Beneficiary’s Mitigation Plan (5.2.1): The Beneficiary Mitigation Plan’s overarching goal is to protect New Mexico’s environment and the health of our citizens. The Trust allows the State the opportunity to offset (mitigate) the impact of excess nitrogen oxide (NO _x) emissions associated with the affected vehicles registered within New Mexico. The reduction of NO _x from mobile sources achieves the intended use of Trust funds by preventing the deterioration of air quality, ensuring the health and safety of the inhabitants of the state, and promoting visibility improvement within New Mexico. Implementation of diesel NO _x reduction projects using Trust funds will have immediate and long-lasting benefits. The proposed project will reduce emissions of NO _x , focusing on the most cost-effective vehicles that maximize emission reductions.
Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2): This project provides a dual port, publicly accessible, level 2 charging facility at a County-owned property located immediately adjacent to dining, shopping and other amenities in a small shopping mall within 0.3 mile of US Highway 84 / 285 in Santa Fe, NM. The charging facility is open to the public 24/7 and is connected to the ChargePoint network with station status and availability available online. The installation of this light-duty zero emission vehicle (LDZEV) infrastructure will help expand New Mexico’s electric vehicle charging infrastructure and promote the use of electric vehicles.
Estimate of Anticipated NO_x Reductions (5.2.3): N/A
Identification of Governmental Entity Responsible for Reviewing and Auditing Expenditures of Eligible Mitigation Action Funds to Ensure Compliance with Applicable Law (5.2.7.1): The New Mexico Environment Department Administrative Services Division is the governmental entity responsible for reviewing and auditing expenditures of EMA funds to ensure compliance.

Describe how the Beneficiary will make documentation publicly available (5.2.7.2):

The New Mexico Environment Department has created a public website, <https://www.env.nm.gov/vw-settlement/> for information relating to the Trust, the VW Partial Consent Trust Decrees, New Mexico's Beneficiary Mitigation Plan, and project implementation information. To provide transparency and accountability, the NMED will post information on its website.

Describe any cost share requirement to be placed on each NO_x source proposed to be mitigated (5.2.8):

The total project cost is Twenty-Two Thousand, One Hundred Twenty-One dollars and Twenty-Nine cents (\$22,121.29). Trust funding will provide the requested Fifteen Thousand, Seven Hundred and Six dollars and Twelve cents (\$15,706.12), which is 71% of the final total project cost for the purchase and installation of the charging equipment. The remaining Six Thousand, Four Hundred Fifteen dollars and Seventeen cents (\$6,415.17) constitute Santa Fe County's cost share.

Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9):

On February 27, 2018, NMED sent notice to the U.S. Department of the Interior and the U.S. Department of Agriculture using the contact information provided in subparagraph 4.2.8.

If applicable, describe how the mitigation action will mitigate the impacts of NO_x emissions on communities that have historically borne a disproportionate share of the adverse impacts of such emissions (5.2.10):

Trust funds have afforded the State the opportunity to advance environmental justice goals. New Mexico's Draft Mitigation Plan expresses a commitment to prioritizing projects that benefit those communities most impacted by poor air quality. Minorities and those living below the poverty level historically have borne a disproportionate share of air pollution, including air pollution emissions associated with on-road vehicles. The service area for this project is within the City of Santa Fe, Santa Fe County. The completion of this project is an essential step towards reducing regional air pollution levels, improving human health and addressing environmental inequality.

ATTACHMENTS

(CHECK BOX IF ATTACHED)

- Attachment A Funding Request and Direction.
- Attachment B Eligible Mitigation Action Management Plan Including Detailed Budget and Implementation and Expenditures Timeline (5.2.4).
- Attachment C Detailed Plan for Reporting on Eligible Mitigation Action Implementation
- Attachment D Detailed cost estimates from selected or potential vendors for each proposed expenditure exceeding \$25,000 (5.2.6).
- Attachment E DERA Option (5.2.12). [Attach only if using DERA option.]
- Attachment F Attachment specifying amount of requested funding to be debited against each beneficiary's allocation (5.2.13).

CERTIFICATIONS

By submitting this application, the Lead Agency makes the following certifications:

1. This application is submitted on behalf of Beneficiary the State of New Mexico, and the person executing this certification has authority to make this certification on behalf of the Lead Agency and Beneficiary, pursuant to the Certification for Beneficiary Status filed with the Court.
2. Beneficiary requests and directs that the Trustee make payments described in this application and Attachment A to this Form.
3. This application contains all information and certifications required by Paragraph 5.2 of the Trust Agreement, and the Trustee may rely on this application, Attachment A, and related certifications in making disbursements of trust funds for the aforementioned Project ID.
4. Any vendors were or will be selected in accordance with a jurisdiction's public contracting law as applicable. (5.2.5)
5. Beneficiary will maintain and make publicly available all documentation submitted in support of this funding request and all records supporting all expenditures of eligible mitigation action funds subject to applicable laws governing the publication of confidential business information and personally identifiable information. (5.2.7.2)

DATED: 2/28/2022

Elizabeth Kuehn
Digitally signed by Elizabeth Kuehn
Date: 2022.03.29 10:38:15 -06'00'

[NAME] Elizabeth Bisbey-Kuehn
[TITLE] Chief, Air Quality Bureau

New Mexico Environment Department
[LEAD AGENCY]
For

State of New Mexico
[BENEFICIARY]

ATTACHMENT B
PROJECT MANAGEMENT PLAN
PROJECT SCHEDULE AND MILESTONES

Milestone	Date
Lead Agency Provides Notice of Availability of Mitigation Action Funds	7/15/2019
Pre-application meetings with applicants	7/15/2019 through 1/9/2020
Project Sponsor Submits Proposal to Lead Agency	1/9/2020
Lead Agency Provides Written Approval of Project Sponsor's Proposal	6/15/2020
Project agreements signed.	9/3/2020
Lead Agency Incorporates Project Sponsor's Proposal into Mitigation Plan	NA
Trustee Acknowledges Receipt of Project Certification and Funding Direction	Q4 2021
Trustee Allocates Share of State Funds for Approved Project	Q4 2021
Project Sponsor Obtains Cost Share, Notifies or Certifies to Lead Agency	Q1 2021
Project Sponsor Enters into Contracts, Purchase Orders, etc. – Start	9/3/2020
Project Sponsor Enters into Contracts, Purchase Orders, etc. – Complete	Q4 2021
Project Installations(s) – Start	9/3/2020
Project Installations(s) – Complete	6/18/2020
Project Sponsor provides detailed invoices for all claimed project costs, documentation for emission reduction estimates, required certification documents to Lead Agency to support direction to Trustee for Payment (Reimbursement, Direct-to-Vendor) or final accounting (Forward Funded Projects)	11/17/2021
Lead Agency completes review and certifies payment direction to Trustee (Reimbursement)	Q4 2021
Trustee Acknowledges Receipt of Direction for Payment(s) (Advance Funded, Reimbursement)	Q4 2021
Lead Agency Reports Project Completion	Q4 2021

PROJECT BUDGET

Period of Performance: 7.1.2020-6.30.2021				
Budget Category	Total Approved Budget	Share of Total Budget Funded by the Trust	Cost-Share, if applicable (Entity #1)	Cost-Share, if applicable (Entity #2)
1. Equipment Expenditure	\$22,121.29	\$15,706.12	\$6,415.17	\$0
2. Contractor Support	\$0	\$0	\$0	\$0
3. Subrecipient Support	\$0	\$0	\$0	\$0
4. Administrative ¹	\$0	\$0	\$0	\$0
Project Totals	\$22,121.29	\$15,706.12	\$6,415.17	\$0
Percentage	100%	71%	29%	0%

¹Subject to Appendix D-2 15% administrative cap.

ATTACHMENT C
DETAILED PLAN FOR REPORTING ON ELIGIBLE MITIGATION
ACTION IMPLEMENTATION

The New Mexico Environment Department (NMED), as the lead agency for the State of New Mexico for implementing the Volkswagen Environmental Mitigation Settlement Plan, has established a webpage for the Settlement and mitigations actions, www.env.nm.gov/vw-settlement/. NMED will post documents and links as required under Paragraph 7 of Appendix D-3 Certification for Beneficiary Status form. The NMED is subject to the *Open Meetings Act*, which provides the statutory guidelines for conducting public meetings and the *Inspection of Public Records Act*, which is a New Mexico state law that provides the public and media access to public information.

For the initial round of funding, NMED solicited, through a competitive process, public and private entities for funding opportunities. Projects were selected through a scored application using an identified scoring criterion. The records of selected projects will be posted and made available on the NMED VW Settlement webpage. The public website was created specifically to provide information related to the Trust, the VW Partial Consent Decrees, and accountability. The NMED will post timely updates on the following:

- General information on the Trust and Consent Decrees
- The State's final Beneficiary Plan
- All public records supporting funding requests the NMED submits to the Trust
- All public records supporting all expenditures of the Trust Fund
- NMED contact information

After the initial round of funding, NMED will periodically evaluate the implementation of the State's Beneficiary Mitigation Plan (BMP) and associated Eligible Mitigation Actions and will determine whether any revisions to the BMP and funding levels need to be reevaluated. If revisions to the BMP are warranted, NMED will seek public input on BMP revisions with a minimum of a 30 – day public comment period.

In addition, the State will also comply with the reporting obligations listed in the Environmental Mitigation Trust Agreement for State Beneficiaries in Subparagraph 5.3.

ATTACHMENT D
DETAILED COST ESTIMATE FROM SELECTED OR POTENTIAL VENDORS
FOR EACH PROPOSED EXPENDITURE EXCEEDING \$25,000 (5.2.6)

See attached invoice

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Rudy N. Garcia
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Hank Hughes
Commissioner, District 5

Katherine Miller
County Manager

November 19, 2021

Neal T. Butt
525 Camino de Los Marquez, Suite 1B
Santa Fe, NM 87505-1816
Neal.Butt@state.nm.us

*RE: Reimbursement request under Santa Fe County's Solana Center Dual Level II Project#
NM VW-20-07 Project Agreement*

Dear Mr. Butt:

Pursuant to Article 9 of # NM-VW-20-07 Project Agreement (Compensation and Method of Payment), Santa Fe County request for reimbursement for actual allowable costs incurred in completing the project described on Attachment A of the Agreement (Level II EV charging facility).

Per Article 1 of the Agreement, the New Mexico Environment Department (NMED) authorizes reimbursement of 71% to not exceed \$20,000, to Santa Fe County. Santa Fe County has completed the project and attached is the invoice, proof of payment, and photographs of the completed project. The total paid by Santa Fe County is \$22,121.29. Santa Fe County is requesting reimbursement of **\$15,706.12** or 71% of the project cost. In accordance with the Agreement, this is below the maximum reimbursement amount of \$20,000. I certify that this request accurately reflects the costs of the completed project and are allowable costs under Article 10 (Allowable and Unallowable Costs) of the Agreement.

Please advise if NMED requires any further documentation to support this request.

Respectfully,

A handwritten signature in blue ink, appearing to read "Katherine Miller", is written over a light blue circular stamp.

Katherine Miller
Santa Fe County Manager

Enclosures: Invoice, photographs and proof of payment

xc: Adeline Murthy
Sustainability Office
Santa Fe County Community Development

Grant #NIM-VW-20-07
New Mexico Volkswagen Mitigation Trust

Reporting Period: June 1-30, 2021

Requested Amount: \$ 15,706.12

Reviewed by: Annette Baca, Accountant Senior
Annette Baca, Accountant Senior
Date: 11/15/2021

Reviewed by: Samuel L Montoya
Sam Montoya, Capital & Grants Manager
Date: 11/15/2021

PREPARED 11/15/2021, 16:32:53
PROGRAM GM360L

ACCOUNT ACTIVITY LISTING

FISCAL YEAR: 2021

ACCOUNT NUMBER SELECTION

FROM: 318-7011-484.80-01

TYPE: O (O-ONLY, R-RANGE, S-SELECTIVE)

TRANSACTION SELECTION

TYPES... AJ X CR X BA TF EN AP X

DATE RANGE...FROM: 0/00/0000 TO: 99/99/9999

PERIOD...FROM: 01 TO: 15

POSTING DATE RANGE...FROM: 0/00/0000 TO: 99/99/9999

SUPPRESS PRINTING OF ACCOUNTS WITHOUT TRANSACTIONS (N/Y): Y

PRINT DEBIT/CREDIT COLUMNS, SUPPRESS BUDGET . . . (N/Y): N

PRINT ENCUMBRANCE (N/Y): Y

PAGE BREAK BY FUND: N

PAGE BREAK BY ACCOUNT: N

PAGE BREAK BY DPT/DIV: N

USE CURRENT BUDGET FOR ESTIM/APPROP TOTAL: Y

GROUP NBR	PO NBR	ACCTG PER.	CD	DATE	TRANSACTION NUMBER	DESCRIPTION	YTD/CURRENT ESTIM/APPROP	YTD/CURRENT ENCUMBRANCE	TRANSACTION AMOUNT	CURRENT BALANCE
FUND 318 STATE SPEC. APPROPRIATION										
318-7011-484.80-01 CAPITAL PURCHASES / BUILDINGS & STRUCTUR										
8473	013262			13/21	AP 07/13/21 0579059	ALLIED ELECTRIC IN	0	15,706.12--	15,706.12	15,706.12--
						ELECTRICAL VEHICLE CHG			15,706.12	
						949 W.ALAMEDA PARKING LOT				
						ACCOUNT TOTAL	0	15,706.12--	15,706.12	.00
						FUND TOTAL	0	15,706.12--	15,706.12	.00
						GRAND TOTAL	0	15,706.12--	15,706.12	.00

SANTA FE COUNTY

15432
ALLIED ELECTRIC INC



WARRANT
NUMBER 579059
DATE

INVOICE NO.	DATE	P.O. NUMBER	ACCOUNT	AMOUNT
202102-260	07/13/2021	013262	318701.14848001	22,121.29

22,121.29

006-937-2001 1449106

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND DRAWN ON PAPER

SANTA FE COUNTY
P.O. BOX 276
SANTA FE, NEW MEXICO 87504-0276
(506) 988-8375

Sunflower Bank, N.A.
First National 1870 a division of Sunflower Bank, N.A.
(888) 827-5564

83-62/1011

579059

VOID ONE YEAR AFTER DATE ISSUED	
WARRANT DATE 07/14/2021	WARRANT NO. 579059

PAY THIS AMOUNT

AMOUNT

\$****22,121.29

TWENTY TWO THOUSAND ONE HUNDRED TWENTY ONE AND 29/100 DOLLARS *****

PAY TO:
ALLIED ELECTRIC INC
PO BOX 28430
SANTA FE NM 87592-8430

CHAIRMAN BOARD OF
COUNTY COMMISSIONERS

ATTEST / COUNTY
CLERK

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

⑈ 579059⑈ ⑆ 101100621⑆ 100163580⑈

Image Report



Sunflower Bank
First National 1870

First National 1870, a division of Sunflower Bank, N.A.

ABA Number
Account Number
Serial Number 579059
Amount \$22,121.29
Paid Date 07/22/2021

Front

THE FACE OF THIS DOCUMENT WAS A COLORED BACKGROUND ON WHITE PAPER

Santa Fe County
P.O. BOX 278
SANTA FE, NEW MEXICO 87504-0278
(505) 986-6376

Sunflower Bank, N.A.
First National 1870 a division of Sunflower Bank, N.A.
(888) 827-5564
83-621011

579059

VOID ONE YEAR AFTER DATE ISSUED	
WARRANT DATE 07/14/2021	WARRANT NO. 579059

PAY THIS AMOUNT

AMOUNT
\$****22,121.29

TWENTY TWO THOUSAND ONE HUNDRED TWENTY ONE AND 29/100 DOLLARS *****

PAY TO: ALLIED ELECTRIC INC
PO BOX 28430
SANTA FE NM 87592-8430

Handwritten signature: Kathleen E. Clark
CHAIRMAN BOARD OF COUNTY COMMISSIONERS ATTEST / COUNTY CLERK

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

Back

>307072443< 20210721
CENTURY BANK
Drawer/Transf: 00227/0043
PIN: 768724780090115

307072443 227 43 2021/07/23 13:20:08

SHOULD BE WHITE

CHEMICAL WASH DETECTION
COLOR INSIDE THIS
PADLOCK AREA

0910624506
2021-07-22

AT [unclear] [unclear]
LITHOGRAPH

ENDORSE HERE:

For deposit only

CHECK HERE IF MOBILE DEPOSIT

FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

Email/Copy replaces original



PO Box 28430
Santa Fe, NM 87592
505-438-8899
www.alliednm.com

Invoice

BILL TO
Santa Fe County
2600 Gallisteo Road
Santa Fe, NM 87504

SHIP TO
Santa Fe County Human Resources
949 W. Alameda St.
Santa Fe, NM 87501

INVOICE 202102-280
DATE 08/30/2021
TERMS Net 30
DUE DATE 07/30/2021

PO
013262

QTY DESCRIPTION AMOUNT

All State of NM agencies, commissions, institutions, political subdivisions and local public bodies allowed by law - Price Agreement #70-000-17-00063

- 1 Furnish and Installation of CT4025 Bollard Mount dual port Level 2 EV charging station
- 1 Furnish and Installation of Charge Point Integral gateway modem (GW1)
- 1 Furnish and Installation of Charge Point station Installation and validation for both parts (CT-4000-SITEVALID)
- 1 Station activation and configuration for station (CPSUPPORT-ACTIVE)
- 1 Charge Point assure 3-year for both ports (CT4000-ASSURE-3)
- 1 Charge Point 3-year commercial service plan for both ports (CTSW-SQS-COMM-3)
- 2 Furnish and Installation of concrete wheel stops painted green
- 2 Furnish and Installation of 2.5" concrete filled bollards
- 1 Furnish and Installation of type III anti glare LED wall mounted fixture with photocell control
- 1 Furnish and Installation of signage for the two adjacent parking spots indicating "ELECTRIC VEHICLE CHARGING ONLY"
- 1 Furnish and Installation of parking lot striping for two spaces and "NO PARKING" aisle between new spaces
- 1 Asphalt patch as needed

SANTA FE COUNTY	
ADMINISTRATIVE	
INVOICE APPROVAL FOR PAYMENT	
Date Received / Rendered:	6.29.2021
Amount to Pay	\$ 22,121.29
Misc:	013262
CERTIFIES GOODS RECEIVED / SERVICES RENDERED	
<i>Guadalupe B. ... Phillip Montano</i>	
Authorized Signature Approves Payment	
Date Approved:	Jul 9, 2021 Jul 12, 2021

Material (non-tax) 14,890.00

84 Electrical Apprentice, regular hours worked, non-wage-decision project @ \$20.00 per 1,880.00T

Please Remit To:
Allied Electric Inc.
PO Box 28430
Santa Fe, NM 87592-8430
Page 1 of 2

hour

84 Electrical Journeyman, regular hours worked, non-wage-decision project @\$51.00 per hour 4,284.00T

We do not include engineering, surveying, ADA concrete ramps, ADA asphalt ramps, traffic control.

Cut existing asphalt for new safety bollard

Furnish and installation of 3" steel, concrete filled, painted safety bollard (bollard installed 3' in ground and 4' above asphalt grade)

Paint new safety bollard

Cold patch asphalt for new safety bollard

Material (non-tax) 286.00

6 Electrical Apprentice, regular hours worked, non-wage-decision project @\$20.00 per hour 120.00T

6 Electrical Journeyman, regular hours worked, non-wage-decision project @\$51.00 per hour 306.00T

Service Charge
A service charge of 1.5% (18% annum) will be charged on balances 36 days past due.

SUBTOTAL 21,666.00

TAX 455.29

TOTAL 22,121.29

BALANCE DUE **\$22,121.29**

Please Remit To:
Allied Electric Inc.
PO Box 28430
Santa Fe, NM 87502-8430
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ELECTRIC
VEHICLE
CHARGING
ONLY





ELECTRIC
VEHICLE
CHARGING
ONLY

EV
CHARGEPOINT