

**APPENDIX D-4**  
**Beneficiary Eligible Mitigation Action Certification**

**BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION**

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Beneficiary \_\_\_\_\_

Lead Agency Authorized to Act on Behalf of the Beneficiary \_\_\_\_\_  
*(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)*

|   |   |
|---|---|
| <b>Action Title:</b>                                  |   |
| <b>Beneficiary's Project ID:</b>                      |   |
| <b>Funding Request No.</b>                            | <i>(sequential)</i>   |
| <b>Request Type:</b><br>(select one or more)          | <input type="checkbox"/> Reimbursement <span style="margin-left: 200px;"><input type="checkbox"/> Advance</span><br><input type="checkbox"/> Other (specify): _____ |
| <b>Payment to be made to:</b><br>(select one or more) | <input type="checkbox"/> Beneficiary<br><input type="checkbox"/> Other (specify): _____   |
| <b>Funding Request &amp; Direction (Attachment A)</b> | <input type="checkbox"/> Attached to this Certification<br><input type="checkbox"/> To be Provided Separately   |

**SUMMARY**

|   |
|---|
| <b>Eligible Mitigation Action</b> <input type="checkbox"/> Appendix D-2 item (specify): _____<br><b>Action Type</b> <input type="checkbox"/> Item 10 - DERA Option (5.2.12) (specify and attach DERA Proposal): _____ |
| <b>Explanation of how funding request fits into Beneficiary's Mitigation Plan (5.2.1):</b>  |
| <b>Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):</b>   |
| <b>Estimate of Anticipated NOx Reductions (5.2.3):</b>  |
| <b>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):</b>                              |
| <b>Describe how the Beneficiary will make documentation publicly available (5.2.7.2).</b>   |
| <b>Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8).</b>  |
| <b>Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9).</b>  |

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

**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 (5.2.11).
- Attachment D Detailed cost estimates from selected or potential vendors for each proposed expenditure exceeding \$25,000 (5.2.6). [Attach only if project involves vendor expenditures exceeding \$25,000.]
- 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). [Attach only if this is a joint application involving multiple beneficiaries.]

**CERTIFICATIONS**

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

1. This application is submitted on behalf of Beneficiary \_\_\_\_\_, 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 the 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: 12/6/22

Brian Roddensess, Commissioner  
[NAME]  
[TITLE]

Indiana Department of Environmental Management

\_\_\_\_\_  
[LEAD AGENCY]

for

State of Indiana

\_\_\_\_\_  
[BENEFICIARY]

## Appendix D-4 Summary Details

### **Eligible Mitigation Action Type:**

Category 9: Light Duty EV Infrastructure

### **Explanation of how funding request fits into Beneficiary's Mitigation Plan (5.2.1):**

Indiana will generally fund all eligible mitigation action (EMA) types included in Appendix D-2 of the national consent decree. The Mission Statement and Overall Goals are described below:

In promoting the reduction of emissions of NO<sub>x</sub>, the Indiana Volkswagen Environmental Mitigation Trust Fund Program will prioritize sustainable projects that are transformative, positively impacting the environment, enhancing the health and well-being of residents, and promoting Indiana's growing economy.

The Program will focus on technological change and advancement with resiliency and favoring use of domestic fuel, where possible.

The goals of the Indiana Volkswagen Mitigation Trust Program include:

- Improving air quality across Indiana through cost-effective NO<sub>x</sub> emission reduction strategies
- Maximizing diesel emission reductions across Indiana, while considering various categories of sensitive populations as areas of specific focus
- Providing appropriate considerations to projects that have diesel emission reductions that go beyond just NO<sub>x</sub>, including PM<sub>2.5</sub>, hydrocarbons (HC), carbon monoxide (CO), and carbon dioxide (CO<sub>2</sub>)
- Encouraging leveraging of project partner funds with VW Trust funds to further the reach of the Indiana program

### **Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):**

This project is for the purchase, installation, operation, and maintenance of two (2) light-duty electric vehicle charging stations. The charging stations are located and operated in Warsaw, Indiana.

The installation of electric vehicle charging stations can dramatically improve air quality and the quality-of-life conditions for drivers, technicians, and citizens in the areas of operation due to the zero-tailpipe-emissions character of the vehicles.

The lifetime estimated emission reductions of pollutants according to U.S. DOE's AFLEET program developed in partnership with Argonne National Labs include 22 pounds of nitrogen oxides (NO<sub>x</sub>), 132 tons of greenhouse gases (GHG), and a reduction in petroleum use of 378 barrels.

### **Estimate of Anticipated NO<sub>x</sub> Reductions (5.2.3):**

Over the lifetime of these electric vehicle charging stations, U.S. DOE's AFLEET estimates this project will result in a reduction of 2 pounds of nitrogen oxides (NO<sub>x</sub>).

**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):**

Indiana Department of Environmental Management

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

In October of 2017, IDEM published a website with specific information on the national mitigation trust as well as the Indiana program. The website included an opportunity to sign up for automated updates to make sure interested parties were always kept apprised of any changes made to the program website. This web portal will be the location for all information related to the Indiana Volkswagen Mitigation Trust Program.

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

Indiana will use Volkswagen Mitigation Trust funds to reimburse non-government-owned fleet and equipment owners at the levels specified in Appendix D-2 of the national mitigation trust. IDEM will also use Volkswagen Mitigation Trust funds to reimburse government-owned fleets and equipment at the same level as non-government owned fleet and equipment owners, as opposed to the full cost reimbursement permitted by Appendix D-2.

Specifically, for this project, the Indiana Volkswagen Mitigation Trust Program will cover up to 39% of the total project cost while the Grantee and/or other programs covers the remaining 61%.

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

The Indiana Department of Environmental Management notified representatives as identified in Appendix D-2 of the national consent decree via email in March of 2018.

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

Not applicable to this specific project.

**Attachment B Details**

**Project Schedule and Milestones:**

|   |   |
|---|---|
| Indiana announces Level 2 and DC Fast charging station funding opportunity via online Request for Proposals (RFP)   | June 23, 2020                           |
| Deadline for Level 2 and DC Fast charging station program applications  | September 23, 2020                      |
| Indiana notifies applicants of award decisions  | November 18, 2020                       |
| Funding Agreement between Indiana and Grantee is fully executed   | March 10, 2021                          |
| Grantee project implementation  | March 10, 2021 to December 31, 2022     |
| Indiana reviews programmatic, financial, and vehicle scrappage materials for compliance with Appendix D-2 of the national consent decree                                    | Ongoing                                 |
| Indiana submits Appendix D-4 to Trustee to initiate payment to Grantee in accordance with Payee Contact and Wire Information form along with other supporting documentation | December 2, 2022                        |
| Indiana coordinates with Trustee on any questions or issues that arise related to the submitted Appendix D-4  | December 2, 2022 to D-4 approval        |
| Trustee responds to Indiana Appendix D-4  | Within 60 days of submittal             |
| Trustee disburses payment to Grantee  | Within 15 days of Appendix D-4 approval |

**Project Budget:**

| <b>Project Description</b>   | <b>Indiana VW Mitigation Trust Grant Not to Exceed Total</b> | <b>Grantee Cost Share Not Less than Total</b> | <b>Project Total</b> |
|--|--|---|----------------------|
| The purchase, installation, operation and maintenance of two (2) Intertek or Underwriter’s Laboratory certified compliant Level 2 electric vehicle charging stations to include at least two (2) SAE J1772 charging connections per station. This electric vehicle charging station shall be networked with capability for remote diagnostics, remote control of the equipment, collecting and | \$18,000.00  | \$28,540.42                                   | \$46,540.42          |

|  |     |     |      |
|--|-----|-----|------|
| reporting usage data, and processing payments if fees are to be charged. |     |     |      |
| Percentage   | 39% | 61% | 100% |

**State of Indiana Total Trust Allocation:**

|  |                 |
|--|-----------------|
| 1) State of Indiana's Total Trust Allocation                               | \$40,935,880.59 |
| 2) Obligated Awards from Previous D-4 Submittals                           | \$13,951,143.08 |
| 3) State of Indiana's Net Remaining Allocation Prior to this D-4 Submittal | \$26,984,737.51 |
| 4) Current D-4 Funding Request Total                                       | \$18,000.00     |
| 5) State of Indiana's Remaining Allocation After this D-4 Submittal        | \$26,966,737.51 |

**Projected Allocation Totals per Project Type:**

|  | <b>Total per Category</b> | <b>Annually Based on Expected Project Reimbursements</b> |
|--|---------------------------|--|
| <b>Total Trust</b>                               | \$40,935,880.59           | NA   |
| <b>To EV (15%) over 3 years (2021 to 2023)</b>   | \$6,140,382.09            | \$2,046,794.03   |
| <b>To Admin (3%) over 4 years (2020 to 2023)</b> | \$1,228,076.42            | \$307,019.11   |
| <b>To EMAs (82%) over 3 years (2020 to 2022)</b> | \$33,567,422.08           | \$11,189,140.69  |



**Projected Trust Allocations:**

|  | <b>2020</b>     | <b>2021</b>     | <b>2022</b>     | <b>2023</b>    |
|--|-----------------|-----------------|-----------------|----------------|
| 1) Anticipated Annual Project Funding Request to be paid through the Trust                                   | \$11,189,140.69 | \$13,235,934.72 | \$13,235,934.72 | \$2,046,794.03 |
| 2) Anticipated Annual Cost Share (Administrative Costs)  | \$307,019.11    | \$307,019.11    | \$307,019.11    | \$307,019.11   |
| 3) Anticipated Total Project Funding by Year (Line 1 + Line 2)   | \$11,496,159.8  | \$13,542,953.8  | \$13,542,953.8  | \$2,353,813.14 |
| 4) Cumulative Trustee Payments Made to Date Against Cumulative Approved Beneficiary Allocation               | \$3,895,454.40  | \$4,710,898.20  | \$5,112,886.48  |                |
| 5) Current Beneficiary Project Funding to be paid through the Trust (Line 1)                                 | \$101,199.00    | \$130,705.00    | \$18,000.00     |                |
| 6) Total Funding Allocated to Beneficiary, inclusive of Current Action by Year (Line 4 + Line 5)             | \$3,996,653.40  | \$4,841,603.20  | \$5,130,886.48  |                |
| 7) Beneficiary Share of Estimated Funds Remaining in Trust at Beginning of Year                              | \$40,935,880.59 | \$36,939,227.19 | \$32,097,623.99 |                |
| 8) Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (Line 7 – Line 6) | \$36,939,227.19 | \$32,097,623.99 | \$26,966,737.51 |                |

## Attachment C Details

### **Detailed Plan for Reporting on Eligible Mitigation Action Implementation (5.2.11):**

The Indiana Department of Environmental Management (IDEM) is committed to meet the reporting requirements as detailed in Subparagraph 5.3 of the Environmental Mitigation Trust Agreement for State Beneficiaries. Specifically, this subparagraph states:

“For each Eligible Mitigation Action, no later than six months after receiving its first disbursement of Trust Assets, and thereafter no later than January 30 (for the preceding six-month period of July 1 to December 31) and July 30 (for the preceding six-month period of January 1 to June 30) of each year, each Beneficiary shall submit to the Trustee a semiannual report describing the progress implementing each Eligible Mitigation Action during the six-month period leading up to the reporting date (including a summary of all costs expended on the Eligible Mitigation Action through the reporting date). Such reports shall include a complete description of the status (including actual or projected termination date), development, implementation, and any modification of each approved Eligible Mitigation Action. Beneficiaries may group multiple Eligible Mitigation Actions and multiple sub-beneficiaries into a single report. These reports shall be signed by an official with the authority to submit the report for the Beneficiary and must contain an attestation that the information is true and correct and that the submission is made under penalty of perjury. To the extent a Beneficiary avails itself of the DERA Option described in Appendix D-2, that Beneficiary may submit its DERA Quarterly Programmatic Reports in satisfaction of its obligations under this Paragraph as to those Eligible Mitigation Actions funded through the DERA Option. The Trustee shall post each semiannual report on the State Trust’s public-facing website upon receipt.”

IDEM will meet these obligations in coordination with our project partners. Project partners are obligated to provide IDEM the necessary information for reports to the Trustee through the Funding Agreements between IDEM and each project partner. This language states:

#### **“4. Implementation and Reporting Requirements**

A. The Grantee shall implement and complete the Project in accordance with **Attachment A** and the plans and specifications contained in its Funding Application. Modification of the Project shall require prior written approval from IDEM. If IDEM determines that the Grantee is not making adequate progress in implementation of the approved Project in accordance with **Attachment A**, IDEM may rescind the award.

B. The Grantee shall submit to IDEM written progress reports until the completion of the Project. These reports shall be submitted in accordance with the reporting schedule contained in **Attachment C** and shall contain such detail of progress or performance on the Project as is required under the terms of the Volkswagen Diesel Emissions Environmental Mitigation Trust. If additional documentation is required for IDEM to meet reporting obligations under the

Volkswagen Diesel Emissions Environmental Mitigation Trust, IDEM may request such documentation as necessary at any time during the term of this Agreement.”

### **Attachment D Details**

**Detailed cost estimates from selected or potential vendors for each proposed expenditure exceeding \$25,000 (5.2.6):**

Detailed in the following pages:



# INVOICE

## City of Warsaw

INVOICE:# 001  
DATE: 14 November 2022

102 S. Buffalo Street  
Warsaw, In., 46580  
Phone (574) 372-9550  
clerk@warsaw.in.gov

TO Attn: Shawn Seals  
Indiana Department of Environmental Management  
Indiana Government Center North  
100 North Senate Avenue  
Indianapolis, IN 46204

MAKE  
CHECK  
PAYABLE  
TO: **City of Warsaw**

| JOB                                | PAYMENT TERMS |
|------------------------------------|---------------|
| Electric Vehicle Charging Stations |               |

| DESCRIPTION   | TOTAL           |
|---|-----------------|
| Level 2 EVSE - Courthouse (Total Cost: \$22,232.71)   | \$9,000         |
| Level 2 EVSE - Jefferson St (Total Cost: \$24,307.71) | \$9,000         |
| <b>TOTAL DUE</b>                                      | <b>\$18,000</b> |

Make all checks payable City of Warsaw  
**THANK YOU FOR YOUR BUSINESS!**

**APPENDIX C: MACOG Purchase Order – LilyPad EV (Sourcewell Vendor)**



**PURCHASE ORDER**  
Number: 051321LP\_Warsaw

**TO:**  
Keith Anderson  
LilyPad EV  
keith.anderson@lilypaddev.com

**SHIP TO:**  
Justin Taylor  
City of Warsaw  
Parks & Recreation Dept.  
117 E Canal Street  
Warsaw, IN 46580  
(574) 253-3872, jtaylor@warsaw.in.gov

| P.O. DATE  | Sales Quote No. | SHIPPED VIA | F.O.B. Destination | TERMS  |
|------------|-----------------|-------------|--------------------|--------|
| 05/13/2021 | 2268            |             |                    | Net 30 |

| QTY | UNIT | DESCRIPTION                      | UNIT PRICE          | TOTAL           |
|-----|------|----------------------------------|---------------------|-----------------|
| 1   | Each | ChargePoint: CT4025-GW1          | \$11,217            | \$11,217        |
| 1   | Each | ChargePoint: CT4021-GW1          | \$10,447            | \$10,447        |
| 4   | Each | ChargePoint CPCLD-ENTERPRISE 5   | included            |                 |
| 2   | Each | ChargePoint CT4001-CCM           | included            |                 |
| 2   | Each | ChargePoint CT 4000 ASSURE5      | included            |                 |
| 1   | Each | ChargePoint CPSSupport-SITEVALID | included            |                 |
| 2   | Each | ChargePoint CPSSupport-ACTIVE    | included            |                 |
|     |      |                                  | SUBTOTAL            | \$21,664        |
|     |      |                                  | SALES TAX           | Exempt          |
|     |      |                                  | SHIPPING & HANDLING | \$575           |
|     |      |                                  | INSTALLATION        | N/A             |
|     |      |                                  | <b>TOTAL</b>        | <b>\$22,239</b> |

Send Invoice to:  
MACOG Accounting  
227 W. Jefferson Blvd., Room 1120  
South Bend, IN 46601  
Phone 574-287-1829 Fax 574-239-4072  
Email: invoice@macog.com

  
 Authorized by: \_\_\_\_\_ Date: May 13, 2021  
 James Turnwald, Executive Director

**APPENDIX D – Invoice for Installation from Bancroft Electric**

**The Bancroft Companies**

TGB Unlimited, Inc.  
25020 State Road 2  
South Bend, IN 46619

**Invoice**

|            |           |
|------------|-----------|
| Date       | Invoice # |
| 10/11/2022 | 14439     |

|              |              |
|--------------|--------------|
| Phone #      | Fax #        |
| 574-968-2040 | 574-968-2045 |

|  |
|--|
| City of Warsaw*<br>102 S Buffalo St.<br>Warsaw, IN 46580 |
|--|


| Project                  | Date of Service | Terms  | Due Date   | Purchase Order |
|--------------------------|-----------------|--------|------------|----------------|
| Electric Vehicle Charger | 10/11/2022      | Net 30 | 11/10/2022 |                |

| Description   | Quantity | Rate      | Amount             |
|---|----------|-----------|--------------------|
| Jefferson St. Parking lot electric vehicle charger installation | 1        | 13,500.00 | 13,500.00          |
| Courthouse parking electric vehicle charger installation        | 1        | 10,500.00 | 10,500.00          |
| Sales Tax   |          | 7.00%     | 0.00               |
| <b>Total</b>  |          |           | <b>\$24,000.00</b> |

|                         |             |
|-------------------------|-------------|
| <b>Payments/Credits</b> | \$0.00      |
| <b>Balance Due</b>      | \$24,000.00 |



**Appendix F: Signage Invoice & Proof of Payment**



**Invoice** 206834

Date 8/23/2022

Due Date 9/22/2022

Payment Terms NET 30

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**BILL TO:**  
 CITY OF WARSAW, IN (1615)  
 STREET DEPT  
 794 W CENTER ST  
 WARSAW, IN 46580

**SHIP TO:**  
 CITY OF WARSAW, IN (1615)  
 CITY PLANNING BUILDING  
 102S BUFFALO ST  
 WARSAW, IN 46580

|            |                     |                                 |
|------------|---------------------|---------------------------------|
| PO Number: | Salesperson: J GLON | Sales order #: JG4022 8/12/2022 |
|------------|---------------------|---------------------------------|

| PART NO. | DESCRIPTION   | QUANTITY | PRICE    | UNIT | AMOUNT |
|----------|---|----------|----------|------|--------|
| IN81     | 15" ALUMINUM MOUNTING BASE W/STUB FOR U-CHANNEL, SQUARE OR ROUND POST | 2.00     | 140.2000 | ea   | 280.40 |

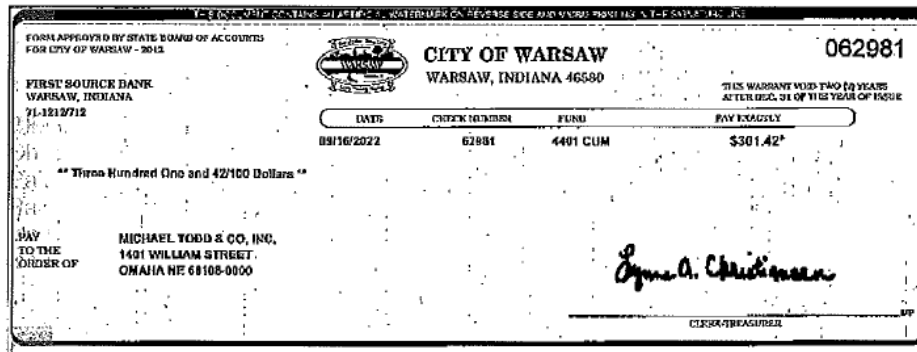
|  |                         |               |
|--|-------------------------|---------------|
|  | Subtotal:               | 280.40        |
|  | Discount:               | 0.00          |
|  | Shipping:               | 21.02         |
|  | Sales Tax, 0.0000%:     | 0.00          |
|  | Net Total:              | 301.42        |
|  |                         | 0.00          |
|  | <b>Balance Due USD:</b> | <b>301.42</b> |

ATTN: BEKAH SCHRAG  
THANK YOU

Tracking No.(s): UPS 1Z53E3R20304595897

Client ID: Checking-n24  
 Check #: 62981  
 Paid Amount: \$301.42  
 Paid Date: 9/23/2022  
 Issued Date: 9/16/2022  
 Issued Payee: MICHAEL TODD & CO











**APPENDIX I: Proof of Donation from Zimmer Biomet**

| INVOICE DATE | INVOICE NUMBER | Doc No   | AMOUNT    | DISCOUNT | AMOUNT PAID | REMARKS   |
|--------------|----------------|----------|-----------|----------|-------------|-----------|
| 3/11/2021    | 2021-2901      | 21058406 | 10,000.00 |          | 10,000.00   | 2021-2901 |
|              |                |          | 10,000.00 |          | 10,000.00   |           |

|            |  |   |           |          |
|------------|--|---|-----------|----------|
| CHECK DATE |  ZIMMER | Total Amount on Check is Last Figure in Column Above  | VENDOR NO | CHECK NO |
| 4/7/2021   |  |   | 15023     | 00781580 |

THIS CHECK IS VOID WITHOUT A BLUE AND RED BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT AN ANGLE TO VIEW

|   |  |   |                |                     |
|---|--|---|----------------|---------------------|
|  | ZIMMER<br>ATTN: ACCOUNTS PAYABLE<br>P.O. BOX 708<br>WARSAW, INDIANA 46581-0708 | Bank of America   | 64-1278<br>611 | CHECK DATE 4/7/2021 |
|   |  | BoFA Cust. Connection<br>Bank of America, N. A.<br>Atlanta, Georgia |                | CHECK NO 00781580   |

|  |
|--|
| PAY THIS AMOUNT<br>\$****10,000.00<br>VOID AFTER 90 DAYS |
|--|

**PAY** TEN THOUSAND AND 00/100\*\*\*\*\*DOLLARS

TO THE ORDER OF CITY OF WARSAW  
102 S BUFFALO ST  
WARSAW IN 46580

*Eric Meyer*