

**South Dakota**  
**Class 8 Trucks 2020 Round 3**  
**SD-C1-003**  
**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> (select one or more)	<input type="checkbox"/> Reimbursement <span style="margin-left: 200px;"><input type="checkbox"/> Advance</span> <input type="checkbox"/> Other (specify): _____
<b>Payment to be made to:</b> (select one or more)	<input type="checkbox"/> Beneficiary <input type="checkbox"/> Other (specify): _____
<b>Funding Request &amp; Direction (Attachment A)</b>	<input type="checkbox"/> Attached to this Certification <input type="checkbox"/> To be Provided Separately

### SUMMARY

<b>Eligible Mitigation Action</b>	<input type="checkbox"/> Appendix D-2 item (specify): _____
<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 BM (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>	

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: 7-13-2020

  
\_\_\_\_\_  
Kyril Rombough, Engineer Manager III

SD DENR  
\_\_\_\_\_  
[LEAD AGENCY]

for  
State of South Dakota  
\_\_\_\_\_  
[BENEFICIARY]

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

**ATTACHMENT B - PROJECT MANAGEMENT PLAN**

**TIMELINE**

<b>Round Three</b>	
<b>Date</b>	<b>Activity</b>
June 1, 2020	Call for Round Three Projects Opens
June 26, 2020	Call for Round Three Projects Deadline
June 29, 2020 - July 10, 2020	Evaluate & Select Round Three Projects
July 8, 2020	<a href="#">Round Three Projects Announced</a> . Email rebate agreements to highest ranking applicants.
July 2020 - September 2020	Recipients will order trucks and email DENR copies of Purchase orders.
December 31, 2021	Deadline for all invoices and paperwork to be submitted to DENR for Round Three

**PROJECTED VW TRUST ALLOCATIONS**

SD's VW Trust Allocation	\$8,125,000
Current Allocation of Trust for Category 1/6 Truck Projects (50%)	\$4,062,500
Anticipated Category 1 Trust Funds Used for 2020 Round 3 Truck Project	\$138,839
Anticipated VW Administrative Funds Used for 2020 Round 3 Truck Project *	\$13,883
Funds requested for previous Category 1/6 Truck Projects	\$316,855
Remaining Trust Funds Allocated for Category 1/6 Truck Projects	\$3,606,806

\* Subject to 10% administrative cap in Beneficiary Mitigation Plan.

**PROJECT BUDGET OVERVIEW**

<b>June 2020 – December 2021</b>	
VW Category 1 Trust Funds	\$138,839
VW Administrative *	\$13,883
Mandatory Cost-Share of Trucks	75% of truck cost

\* Subject to 10% administrative cap in Beneficiary Mitigation Plan.

**ITEMIZED PROJECT BUDGET**

	<b>June 2020 – December 2021</b>	
<b>Budget Category</b>	<b>VW Category 1</b>	<b>VW Administration</b>
1. Trucks	\$138,839	\$0
2. Administration	\$0	\$13,883
SD-C1-002 TOTAL	\$138,839	\$13,883

**ATTACHMENT C – PLAN FOR REPORTING**

**Beneficiary Reporting Obligations:** 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 at <https://www.vwenvironmentalmitigationtrust.com/state-trust/south-dakota>.

**ATTACHMENT D – DETAILED COST ESTIMATES**

Round 3

Recipient	Quote	%	Max Award
SD DOT	\$282,807.00	25%	\$70,701.75
SD DOT	\$272,549.00	25%	\$68,137.25
	\$555,356.00		\$138,839.00