

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

**BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION**

Beneficiary State of Alabama

Lead Agency Authorized to Act on Behalf of the Beneficiary Alabama Department of Economic and Community Affairs (ADECA) (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>	Class 8 Local Freight Trucks and Port Drayage Trucks (Large Trucks)
<b>Beneficiary's Project ID:</b>	1VW20 01 and 1VW20 02
<b>Funding Request No.</b>	(sequential) 5
<b>Request Type:</b> (select one or more)	<input type="checkbox"/> Reimbursement <span style="float: right;">X Advance</span> <input type="checkbox"/> Other (specify): _____
<b>Payment to be made to:</b> (select one or more)	X Beneficiary <input type="checkbox"/> Other (specify): _____
<b>Funding Request &amp; Direction (Attachment A)</b>	X Attached to this Certification <input type="checkbox"/> To be Provided Separately

**SUMMARY**

<b>Eligible Mitigation Action</b>	X Appendix D-2 item (specify): <u>Class 8 Freight Trucks (Large Trucks)</u>
<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> The State of Alabama's Beneficiary Mitigation Plan (BMP) describes how funding will be allocated to eligible projects to reduce NOx emissions. As outlined in the BMP, 10% of funding will be available for Class 8 Local Freight Trucks and Port Drayage Trucks (Large Trucks). Funding will be provided to two recipients to replace eighteen class 8 trucks.	
<b>Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):</b> The trucks replaced through this project will help reduce NOx emissions as well as greenhouse gases associated with the older forklift being replaced.	
<b>Estimate of Anticipated NOx Reductions (5.2.3):</b> 1VW20 01 is anticipated to reduce NOx by 4.619 tons annually 1VW20 02 is anticipated to reduce NOx by 2.432 tons annually	
<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> Recipients are charged with procuring equipment in compliance with all applicable laws.	
<b>Describe how the Beneficiary will make documentation publicly available (5.2.7.2).</b> A press release has been issued and is publicly available showing intended awards. Additional information will be available on ADECA's VW website	
<b>Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8).</b> 1VW20 01 subrecipient will be providing 80% of the total project cost. 1VW20 02 subrecipient will be providing 33.1% of the total project cost.	
<b>Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9).</b> Pursuant to subparagraph 4.2.8, within 30 days of the filed Notice of Beneficiary Designation listing ADECA as the Beneficiary of the State Trust, ADECA mailed a copy of the State Trust Agreement to required federal agencies.	
<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).</b> <i>Not applicable.</i>	

**ATTACHMENTS**  
*(Check box if attached)*

- |                                     |                     |   |
|-------------------------------------|---------------------|---|
| <input checked="" type="checkbox"/> | <b>Attachment A</b> | <b>Funding Request and Direction.</b>   |
| <input checked="" type="checkbox"/> | <b>Attachment B</b> | <b>Eligible Mitigation Action Management Plan Including Detailed Budget and Implementation and Expenditures Timeline (5.2.4).</b>   |
| <input checked="" type="checkbox"/> | <b>Attachment C</b> | <b>Detailed Plan for Reporting on Eligible Mitigation Action Implementation (5.2.11).</b>   |
| <input checked="" type="checkbox"/> | <b>Attachment D</b> | <b>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.]</b> |
| <input type="checkbox"/>            | <b>Attachment E</b> | <b>DERA Option (5.2.12). [Attach only if using DERA option.]</b>  |
| <input type="checkbox"/>            | <b>Attachment F</b> | <b>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.]</b> |

**CERTIFICATIONS**

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

1. **This application is submitted on behalf of Beneficiary Alabama Department of Economic and Community Affairs, 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:

4/22/21

  
Kenneth Boswell, Director

Alabama Department of Economic  
and Community Affairs

[LEAD AGENCY]

for

State of Alabama

[BENEFICIARY]

**ATTACHMENT B**  
**PROJECT MANAGEMENT PLAN**  
**PROJECT SCHEDULE AND MILESTONES**

Milestone	Date
Lead Agency Provides Notice of Availability of Mitigation Action Funds	June 2019
Project Sponsor Submits Proposal to Lead Agency	July 31, 2019
Lead Agency Provides Written Approval of Project Sponsor's Proposal	December 2019
Trustee Acknowledges Receipt of Project Certification and Funding Direction	Receipt from Trustee
Trustee Allocates Share of State Funds for Approved Project	Transfer Date
Project Sponsor Enters into Contracts, Purchase Orders, etc. – Start	2020
Project Sponsor Enters into Contracts, Purchase Orders, etc. – Complete	2020
Project Installation(s) – Start	2020
Project Installation(s) – Complete	2021
Project Sponsor Certifies Project Completion	2021
Lead Agency Reports Project Completion	2021-2022

**PROJECT BUDGET**

Period of Performance: <u>FY 2020-FY2021</u>				
Budget Category	Total Approved Budget	Share of Total Budget to be Funded by the Trust	Cost-Share, if applicable (Entity #1)	Cost-Share, if applicable (Entity #2)
1. Equipment Expenditure	\$	\$671,750.00	\$1,260,000.00	\$176,550.00
2. Contractor Support <i>(Provide List of Approved Contractors as Attachment with approved funding ceilings)</i>	\$	\$	\$	\$
3. Subrecipient Support <i>(Provide List of Approved Subrecipients or Grant Awardees as Attachment with approved funding ceilings)</i>	\$	\$	\$	\$
4. Administrative <sup>1</sup>	\$39,569.61	\$39,569.61	\$	\$
<b>Project Totals</b>	\$2,147,869.61	\$711,319.61	\$1,260,000.00	\$176,550.00
<b>Percentage</b>	100%	33%	59%	08%

<sup>1</sup> Subject to Appendix D-2 15% administrative cap.

## **ATTACHMENT C** **REPORTING PLAN**

The Alabama Department of Economic and Community Affairs (ADECA) has created a website (<https://adeca.alabama.gov/Divisions/energy/vw/Pages/default.aspx>) for public information relating to the VW Settlement. Recipients will be required to submit semi-annual reports to ADECA to aid in reporting to the Trust as part of their Grant Agreement. These reports will include:

1. Vehicle Data including the status of vehicles replaced and/or repowered, vehicles scrapped, and the amount of NOx achieved by these replacements.
2. A description of any revisions required to the project.
3. Details of any issues encountered while implementing the project.

A blank template report can be found on the ADECA VW website at: <https://adeca.alabama.gov/Divisions/energy/vw/Pages/Implementation-Guidelines.aspx>. Reports will be due January 15<sup>th</sup> and July 15<sup>th</sup> of each year. ADECA will provide the Trust with semi-annual reports as designated by Section 5.3 of the Environmental Mitigation Trust Agreement for State Beneficiaries by January 30<sup>th</sup> and July 30<sup>th</sup> of each year.

**ATTACHMENT D**  
**DETAILED COST ESTIMATES FROM**  
**SELECTED POTENTIAL VENDORS FOR**  
**EACH PROPOSED EXPENDITURE**  
**EXCEEDING \$25,000**

Project recipients were asked to submit cost estimates as part of their grant application. Listed below are the details for the Class 4-7 Local Freight Trucks (Medium Trucks) projects with expenditures exceeding \$25,000.

<b>GRANT VW EQUIPMENT EXPENDITURES</b>				
<b>Project ID</b>	<b>Type of Expenditure</b>	<b>Expenditure Covered by VW Funds</b>	<b>Expenditure Covered by Recipient</b>	<b>Total Expenditure</b>
<b>1VW20 01</b>	15 Class 8 Trucks (\$105,000 each)	\$315,000	\$1,260,000	\$1,575,000
<b>1VW20 02</b>	3 Class 8 Trucks (2 at \$175,000 each) (1 at \$180,000)	\$355,100	\$174,900	\$530,000