

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)*

Action Title:	Freight Switchers
Beneficiary's Project ID:	1VW20 06 and 1VW21 04
Funding Request No.	<i>(sequential)</i> 8
Request Type: (select one or more)	<input type="checkbox"/> Reimbursement X Advance <input type="checkbox"/> Other (specify): _____
Payment to be made to: (select one or more)	X Beneficiary <input type="checkbox"/> Other (specify): _____
Funding Request & Direction (Attachment A)	X Attached to this Certification <input type="checkbox"/> To be Provided Separately

SUMMARY

Eligible Mitigation Action	X Appendix D-2 item (specify): Freight Switchers
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 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, 12% of funding will be available for Freight Switchers projects. Funding will be provided to fund two projects to repower two freight switchers.
Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):	The switchers repowered through this project will help reduce NOx emissions as well as greenhouse gases.
Estimate of Anticipated NOx Reductions (5.2.3):	1VW20 06 is anticipated to reduce NOx by 3.96 tons annually 1VW21 04 is anticipated to reduce NOx by 3.98 tons annually
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):	Recipients are charged with procuring equipment in compliance with all applicable laws.
Describe how the Beneficiary will make documentation publicly available (5.2.7.2).	A press release has been issued and is publicly available showing intended awards. Additional information will be available on ADECA's VW website
Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8).	1VW20 06 subrecipient will be providing 60% of the total project cost. 1VW21 04 subrecipient will be providing 48.2% of the total project cost.
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9).	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.
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.

ATTACHMENTS
(CHECK BOX IF ATTACHED)

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

8/18/21



Kenneth W. Boswell
Director

Alabama Department of Economic
and Community Affairs

[LEAD AGENCY]

for

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	August 31, 2020
Lead Agency Provides Written Approval of Project Sponsor's Proposal	December 2020
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	2021
Project Sponsor Enters into Contracts, Purchase Orders, etc. - Complete	2021
Project Installation(s) – Start	2021
Project Installation(s) – Complete	2022
Project Sponsor Certifies Project Completion	2022
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)	Cost-Share, if applicable (Entity #3)
1. Equipment Expenditure	\$3,583,740	\$1,647,200	\$1,052,550	\$883,990	\$
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 ¹	\$30,237.35	\$30,237.35	\$	\$	\$
Project Totals	\$3,613,977.35	\$1,677,437.35	\$1,052,550	\$883,990	\$
Percentage	100%	46.4 %	29.1%	24.5%	%

¹ 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 15th and July 15th 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 30th and July 30th 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.

GRANT VW EQUIPMENT EXPENDITURES				
Project ID	Type of Expenditure	Expenditure Covered by VW Funds	Expenditure Covered by Recipient	Total Expenditure
1VW20 06	1 Freight Switcher Repower	\$697,200	\$1,052,550	\$1,749,750
1VW21 04	1 Freight Switcher Repower	\$950,000	\$883,990	\$1,833,990