APPENDIX D-4 Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary					
Deficition y					
	Act on Behalf of the Beneficiary				
	delegation of such authority to direct the Trustee delivered to the tion of Authority and Certificate of Incumbency)				
Trustee pursuant to a Detega	nion of Authority and Certificate of Incumbency)				
Action Title:					
Beneficiary's Project ID:					
Funding Request No.	(sequential)				
Request Type:	□ Reimbursement □ Advance				
(select one or more)	☐ Other (specify):				
Payment to be made to:	☐ Beneficiary				
(select one or more)	☐ Other (specify):				
Funding Request &	☐ Attached to this Certification				
Direction (Attachment A)	☐ To be Provided Separately				
	SUMMARY				
Eligible Mitigation Action [Appendix D-2 item (specify):				
	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):					
Detailed Description of Mitig	ation Action Item Including Community and Air Quality Benefits (5.2.2):				
Estimate of Anticipated NOx	Reductions (5.2.3):				
	al Entity Responsible for Reviewing and Auditing Expenditures of Eligible				
Mitigation Action Funds to E	Ensure Compliance with Applicable Law (5.2.7.1):				
D '1 1 1 1 D C' '					
Describe now the Beneficiary	will make documentation publicly available (5.2.7.2).				
Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8).					
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government					
Agencies (5.2.9).	complica with subparagraph 4.2.0, related to house to U.S. Government				

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: 4/0/23

<u>DNAM FOCKENSSESS, COMMIZSTAN</u> [NAME] [TITLE]

Indiana Department of Environmental Management

[LEAD AGENCY]

for

State of Indiana

[BENEFICIARY]

Appendix D-4 Summary Details

Eligible Mitigation Action Type:

Category 2: School Buses

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 NOx, the Indiana Volkswagen Environmental Mitigation Trust Fund Program will prioritize sustainable projects that are transformative, positively impacting the environment, enhancing the health and wellbeing 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 NOx 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 NOx, including PM_{2.5}, hydrocarbons (HC), carbon monoxide (CO), and carbon dioxide (CO₂)
- 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) 2022 model-year, or newer, U.S. EPA emission compliant all-electric-powered school buses that will REPLACE two (2) of the Grantee's existing diesel-powered school buses that will be used for the same purpose. The replacement vehicles will be located and primarily operated in South Bend, Indiana.

All-electric-powered school buses dramatically improve air quality and the quality-of-life conditions for drivers, technicians, and citizens in the areas of operation due to notably lower tailpipe emissions in addition to less noisy engine operations.

The lifetime estimated emission reductions of pollutants according to U.S. EPA's Diesel Emission Quantifier (DEQ) include 0.650 tons of nitrogen oxides (NOx) and 0.002 tons of fine particulate matter (PM2.5).

Estimate of Anticipated NOx Reductions (5.2.3):

Over the lifetime of these school buses, U.S. EPA's DEQ model estimates this project will result in a NOx reduction of 0.650 tons.

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 37% of the total project cost while the Grantee and/or other programs covers the remaining 63%.

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 Round 3 – VW Onroad and Nonroad funding opportunity via online Request for Proposals (RFP)	March 23, 2021
Deadline for Round 3 – VW Onroad and Nonroad program applications	June 1, 2021
Indiana notifies applicants of award decisions	September 16, 2021
Funding Agreement between Indiana and Grantee is fully executed	February 8, 2022
Grantee project implementation	February 8, 2022 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	March 29, 2023
Indiana coordinates with Trustee on any questions or issues that arise related to the submitted Appendix D-4	March 29, 2023 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:

Project Description	Indiana VW Mitigation Trust Grant Not to Exceed Total	Grantee Cost Share Not Less than Total	Project Total
The purchase, installation, operation and maintenance of two (2) 2022 model-year, or newer, U.S. EPA emission compliant all-electric-powered school bus that will REPLACE two (2) of the Grantee's existing diesel-powered school buses that will be used for the same purpose. The replacement vehicle(s) will be operated in and around South Bend, Indiana.	\$314,004.00	\$523,342.00	\$837,346.00

Percentage	37%	63%	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	\$15,117,567.08
3) State of Indiana's Net Remaining Allocation Prior to this D-4 Submittal	\$25,818,313.51
4) Current D-4 Funding Request Total	\$314,004.00
5) State of Indiana's Remaining Allocation After this D-4 Submittal	\$25,504,309.51

Projected Allocation Totals per Project Type:

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

Projected Trust Allocations:

	2020	2021	2022	2023
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	\$5,165,086.48	\$1,105,224.00
5) Current Beneficiary Project Funding to be paid through the Trust (Line 1)	\$101,199.00	\$130,705.00	\$9,000.00	\$314,004.00
6) Total Funding Allocated to Beneficiary, inclusive of Current Action by Year (Line 4 + Line 5)	\$3,996,653.40	\$4,841,603.20	\$5,174,086.48	\$1,419,228.00
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	\$26,923,537.51
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	\$26,923,537.51	\$25,504,309.51

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 sixmonth 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 sixmonth 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	١g
\$25,000 (5.2.6):	

Detailed in the following pages:

South Bend Community School Corporation

215 S Dr. Martin King Jr. Blvd South Bend, IN 46601



DATE December 29, 2022

TO

FOR IN VW Settlement Round 3 – ONR3-026

Indiana Department of Environmental Management Attn: Shawn M. Seals Office of Air Quality – Mail Code 61-50 100 N Senate Avenue Indianapolis, IN 46204-2251

Description	Amount
RE: IN VW Settlement Round 3 – ONR3-026	
2 Electric School Buses Paid of \$837,346.00	
Cost Per Bus: \$418,637.00	\$314,004.00

Total \$314,004.00

Please remit to: South Bend Community School Corporation PO Box 4186 South Bend, IN 46634-4186



KERLIN BUS SALES & LEASING, INC. 9294 SOUTH STATE ROAD 15 SILVER LAKE, IN 46982

P: (260) 352-2722

SALES INVOICE: M101001272

BILL TO SOUTH BEND COMMUNITY SCHOOL CORP - 10132 3003 NORTH BENDIX DRIVE SOUTH BEND, IN46628 DELIVER TO
SOUTH BEND COMMUNITY SCHOOL CORP - 10132
3003 NORTH BENDIX DRIVE
SOUTH BEND, IN 46628
P: (574) 287-8486

SALES INVOICE: M101001272

PRINT DATE	ORDER STATUS	DELIVERY DATE	INVOICE DATE	SALESPERSON	CUSTOMER REFERENCE
12/12/2022	QUOTE	11/4/2022	11/4/2022	PROCEDE	425838

NEW

YR - MAKE - MODEL	SERIAL NUMBER / ITEM DESCRIPTION	UNIT#: 112693	PRICE
2023 - THOMAS - 311TS	4UZAEXG43PCUE9146		
	SAF-T-LINER C2 72 PASSENGER	****	418,673.00
		Total Price:	\$418,673.00

This invoice was mailed to you prior to delivery so payment can be made at the time of delivery. As per our bid/quote, FOB COD. Please pre-approve this invoice and have payment ready at time of delivery. We gladly accept checks. If your check is returned unpaid, your account will be debited electronically for the original amount and electronically or via paper for the state's maximum allowable service fee. Credit Card payment is not allowed for new buses. A 3% convenience fee will be added for payment by credit card on all charges exceeding \$500.00.

SALES PRICE		\$418,673.00
TAX	+	\$0.00
TOTAL PRICE	=	\$418,673.00
LESS TRADE IN	-	\$0.00
LESS DOWNPAYMENT	_	\$0.00
UNPAID BALANCE	=	\$418,673.00

Please Remit Payment To:
KERLIN BUS SALES & LEASING, INC.
PO BOX 157
SILVER LAKE, IN, 46982



SALES INVOICE: M101001271



KERLIN BUS SALES & LEASING, INC. 9294 SOUTH STATE ROAD 15 SILVER LAKE, IN 46982 P: (260) 352-2722

SOUTH BEND COMMUNITY SCHOOL CORP - 10132 3003 NORTH BENDIX DRIVE SOUTH BEND, IN46628

SOUTH BEND COMMUNITY SCHOOL CORP - 10132 3003 NORTH BENDIX DRIVE SOUTH BEND, IN 46628 P: (574) 287-8486

SALES INVOICE: M101001271

PRINT DATE	ORDER STATUS	DELIVERY DATE	INVOICE DATE	SALESPERSON	CUSTOMER REFERENCE
12/12/2022	QUOTE	11/4/2022	11/4/2022	PROCEDE	425838

NEW

YR - MAKE - MODEL	SERIAL NUMBER / ITEM DESCRIPTION	UNIT#: 112692	PRICE
2023 - THOMAS - 311TS	4UZAEXG41PCUE9145	·	
	SAF-T-LINER C2 72 PASSENGERS	12. 1.	418,673.00
		Total Price:	\$418,673.00

This invoice was mailed to you prior to delivery so payment can be made at the time of delivery. As per our bid/quote, FOB COD. Please pre-approve this invoice and have payment ready at time of delivery. We gladly accept checks. If your check is returned unpaid, your account will be debited electronically for the original amount and electronically or via paper for the state's maximum allowable service fee. Credit Card payment is not allowed for new buses. A 3% convenience fee will be added for payment by credit card on all charges exceeding \$500.00.

SALES PRICE		\$418,673.00
TAX	+	\$0.00
TOTAL PRICE	11	\$418,673.00
LESS TRADE IN		\$0.00
LESS DOWNPAYMENT	-	\$0.00
UNPAID BALANCE	=	\$418,673,00

Please Remit Payment To: KERLIN BUS SALES & LEASING, INC. PO BOX 157 SILVER LAKE, IN, 46982

Add to Favorites

Sign out



Indiana & Michigan Power 110 E. Wayne St. Fort Wayne, IN 46802 https://www.indianamichiganpower.com/

Shawn M. Seals
Senior Environmental Manager
Indiana Department of Environmental Management
Office of Air Quality - Mail Code 61-50
100 North Senate Avenue
Indianapolis, IN 46204-2251

RE: Payment Confirmation

South Bend Community School Corporation

Agreement Number ONR3-026

Mr. Seals,

On behalf of Indiana Michigan Power (I&M), I can confirm that I&M's parent company, American Electric Power (AEP) approved a \$500,000 electronic funds transfer to Kerlin Bus Sales & Leasing on December 21st, 2022 for the purchase of two All Electric School Buses for South Bend Community School Corporation.

This electronic funds transfer has been processed on behalf of the South Bend Community School Corporation under AEP's Federal Mitigation Project Plan for Bus Replacement Project. A copy of this electronic fund transfer confirmation has been provided to the South Bend Community School Corporation and is enclosed.

If you have any questions related to this project, please feel free to contact me directly at (630) 815-3442.

Sincerely,

William Tokash

Manager, Clean Energy Solutions

Indiana Michigan Power

Enclosure

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Sign out

THIS DOCUMENT IS PROTECTED BY INVISIBLE FIBERS AND CHEMICALLY REACTIVE PAPER. HOLD TO LIGHT TO VERIFY A TRUE WATERMARK

APPROVED BY STATE BOARD OF ACCOUNTS FOR South Bend Comm School Corp 2005

Teachers Credit Union South Bend, Indiana

South Bend Comm School Corp 215 S Dr Martin Luther King Jr SOUTH BEND, IN 46601

ACCOUNTS PAYABLE FUND

NO. 504517

KERLIN BUS SALES & SERVICE INC SIX AND 00/100

PAY ONLY """ THREE HUNDRED THIRTY-SEVEN THOUSAND THREE HUNDRED FORTY

DATE 12/29/22

PAY TO THE ORDER OF:

PO BOX 157

SILVER LAKE IN 46982-0157

AMOUNT \$337,346.00

THIS CHECK VOID TWO YEARS AFTER DEC. 31 OF YEAR OF ISSUE

TREASURE

ADDITIONAL SECURITY FEATURES. DETAILS ON BACK.

ENDOR	SE HERE:	
X		MP
	FOR DEPOSIT ONLY	
	LAKE CITY BANK	IMP
	KERLIN BUS SALES	
	& LEASING, INC.	IVP
	CHECK HERE IF MOBILE DEPOSIT	
	DO NOT SIGN / WRITE / STAMP BELOW THIS LINE FOR FINANCIAL INSTITUTION USAGE ONLY*	

The securi	ty features listed below exceed industry guidelines.
Security Features:	Description:
True Watermark	Hold to light to view watermark.
Invisible Fibers	 Fluorescent fibers only visible under UV light.
Chemical Reactivity	
Toner Adhesion	Paper contains a toner adhesive coating. Attempts to remove or alter toner will be detectable.
Vold Pantograph	 When photocopied the word "void" can become visible, making it non-negotiable. This feature can be circumvented by high end color copiers & scanners.
Heat Sensitive Icon	 Temperature sensitive ink will temporarily fade when exposed to warmth. Rub or breathe on area to verify.
Microprint (MP)	Endorsement microprint signature lines. Small type appears as dotted lines when copied.
Padlock Icon	 Padlock Icon indicates the check has security features that meet or exceed ANSI standards.
Security Screen	Screen on back with reversed text printed light to prevent copying/scanning.
® Padlock design	n is a certification mark of Check Payment Systems Association