

**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>	(sequential)
<b>Request Type:</b> (select one or more)	<input type="checkbox"/> Reimbursement <input type="checkbox"/> Advance <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 (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: 6/30/23

Brian Lockness, 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 four (4) light-duty electric vehicle charging stations. The charging stations are located and operated in Lafayette, 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 44 pounds of nitrogen oxides (NO<sub>x</sub>), 264 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 44 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 53% of the total project cost while the Grantee and/or other programs covers the remaining 47%.

**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.

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**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	February 18, 2021
Grantee project implementation	February 18, 2021 to December 31, 2022
Indiana reviews programmatic, financial, and other 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	June 22, 2023
Indiana coordinates with Trustee on any questions or issues that arise related to the submitted Appendix D-4	June 22, 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:**

<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 four (4) Intertek or Underwriter's Laboratory certified compliant Level 2 electric vehicle charging stations to include at least four (4) 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 reporting usage data, and processing payments if fees are to be charged.	\$36,000.00	\$32,039.00	\$68,039.00
Percentage	53%	47%	100%

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**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	\$16,542,376.75
3) State of Indiana's Net Remaining Allocation Prior to this D-4 Submittal	\$24,393,503.84
4) Current D-4 Funding Request Total	\$36,000.00
5) State of Indiana's Remaining Allocation After this D-4 Submittal	\$24,357,503.84

**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

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**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	\$5,165,086.48	\$2,530,033.67
5) Current Beneficiary Project Funding to be paid through the Trust (Line 1)	\$101,199.00	\$130,705.00	\$9,000.00	\$36,000.00
6) Total Funding Allocated to Beneficiary, inclusive of Current Action by Year (Line 4 + Line 5)	\$3,996,653.40	\$4,841,603.20	\$5,174,086.48	\$2,566,033.67
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	\$24,357,503.84

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## **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:



**City of Lafayette**  
Controller's Office  
20 N. 6th Street  
Lafayette, IN 47901-1412  
(765) 807-1010

# INVOICE

Invoice Date	Invoice No.
05/12/2023	231283
Customer Number	
23778	
Invoice Total Due	
\$36,000.00	
Due Date	
05/12/2023	

INDIANA DEPARTMENT OF ENVIRONMENTAL  
MANAGEMENT  
100 NORTH SENATE AVENUE  
INDIANAPOLIS, IN 46204-2251

Quantity	Description	Price	Amount Due
1.00	REIMBURSEMENT OF ELIGIBLE COSTS:\$36,000 Total cost of project:\$68,039.00 Costs covered by grantee: \$32,039.00	\$36,000.00	\$36,000.00
VW PROJECT FUNDING AGREEMENT #VWL2-019			

Please put Invoice Number on your check.  
Make Checks Payable to: City of Lafayette

Invoice Total:

\$36,000.00

**Current Customer Balance Due:**

## Exhibit A

#17414

EVunited  
6605 Longshore Street Suite 240  
Dublin, OH 43017 US  
(614) 504-3803  
operations@evunited.com  
\*\*\*evunited.com



## INVOICE

BILL TO  
Dennis Carson  
City of Lafayette  
515 Columbia Street  
Lafayette, IN 47901

SHIP TO  
Dennis Carson  
City of Lafayette  
1020 Canal Rd  
Lafayette, IN 47901

INVOICE # 1276  
DATE 07/22/2021  
DUE DATE 08/21/2021  
TERMS Net 30

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	CT4021-GW1	Dual Output, Gateway Option USA, Bollard Unit - 208/240V @ 30A w/ Cord Management	3	5,768.00	17,304.00T
	CT4023-GW1	Dual Output Gateway Option Wall Mount Unit 208/240v @ 30A w/ Cord Management	1	5,768.00	5,768.00T
	CT4001-CCM	Bollard Mounting Kit	3	95.00	285.00T
	CPCLD- COMMERCIAL-5	ChargePoint Commercial Cloud Service Plan 5 year Pre-Paid, per port	8	1,319.00	10,552.00T
	CT4000-ASSURE5	5 years of Assure Coverage	4	2,495.00	9,980.00T
	CPSUPPORT- ACTIVE	Station Activation and Configuration Service	4	0.00	0.00T
	CPSUPPORT- SITEVALID	On-site Validation	4	0.00	0.00T
	EV-SHIP	Shipping and Handling	4	250.00	1,000.00T

SUBTOTAL 44,889.00  
TAX 0.00  
TOTAL 44,889.00  
BALANCE DUE \$44,889.00

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4720-06-4441160  
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## Checks Detail

### Check Header

Vendor	17416	Remit	0	EVUNITED
Cash Account	TREC-00-000-0000-000000-101001-			Cash - Chase Ope
Check number	125903	Normal		
Check date	09/16/2021	Amount	44,889.00	
Status: Cleared	09/30/2021			
BOARD	RD091621			

### Check Detail

Document	Invoice	Inv Date	PO	Contract	Voucher	Amount	Re
130298	1276	07/22/2021			132517	44,889.00	

INVOICE DATE	INVOICE NUMBER	DESCRIPTION	INVOICE AMOUNT
07/22/2021	1276	EV CHARGING STATIONS	\$44,889.00

Vendor No.	Vendor Name	Check No.	Check Date	Check Amount
17416	EVUNITED	125903	09/16/2021	\$44,889.00

09/16/2021

\$44,889.00

Forty-four Thousand Eight Hundred Eighty-nine Dollars and 00 Cents\*\*\*\*\*

EVUNITED  
6605 LONGSHORE ST  
SUITE 240  
DUBLIN, OH 43017

**FILE COPY**  
**NON-NEGOTIABLE**





**HUSTON**  
powering innovation

electrical services | home & business technology  
signage & graphics | generator & compressor

April 25th, 2023

Attn: Mr. Tom Morlan

Re: Lafayette Public Safety- Car Charging Station Installation Breakout

Electrical Quotation and Scope of Work

Dear Mr. Morlan:

Huston Electric, Inc. is pleased to provide the following electrical breakout for the above referenced project based on the scope of work as listed below:

**INCLUDED IN BREAKOUT:**

1. Installation of (2) dual head car charging stations. Charging station equipment costs not included.

**Total:**

**\$21,910.00**

Sincerely,

*Kalob Weigle*



[www.hustonelectric.com](http://www.hustonelectric.com)

[www.hustonsmartboards.com](http://www.hustonsmartboards.com)

1915 E. North Street  
Kokomo, IN 46901  
Phone: 765-457-9137  
Fax: 765-459-4116

1105 E. 181st Street  
Westfield, IN 46074  
Phone: 317-804-9009  
Fax: 317-804-9161

2723 Old Romney Road  
Lafayette, IN 47909  
Phone: 765-474-6115  
Fax: 765-474-6071



HUSTON ELECTRIC, INC. P.O. Box 904 KOKOMO, IN 46903 PHONE: (765) 457-9137

## INVOICE

#1387  
DC 01/19/22  
CCTE  
parking garage

Invoice # W47363	WO # 2105071LA	PO #	Terms: Due Upon Receipt	Invoice Date: Jan 13/22
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**BILL TO:**

City of Lafayette  
Attn: Accounts Payable  
20 N 6th Street  
Lafayette, IN 47901

**JOB ADDRESS:**

City of Lafayette  
20 N 6th Street  
Lafayette, IN 47901

**Work Performed:**

Install (2) charge piont EV chargers per scope letter.

Description	Quantity	Unit Price	Extended Price
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Last Day Worked: Dec 30/21

SUBTOTAL: \$	1,240.00
TAX: \$	
DEPOSIT: \$	0.00
TOTAL: \$	1,240.00

4720-06-444/60

NOTE TO CUSTOMER: IF YOU ARE A TAX-EXEMPT ENTITY IN INDIANA WITH A CURRENT AND VALID INDIANA FORM ST-105, YOU MAY PAY THE PRE-TAX AMOUNT OF THIS INVOICE; HOWEVER, HUSTON ELECTRIC REQUIRES YOU TO PROVIDE A COPY OF YOUR FORM ST-105 WITH YOUR PAYMENT.

IT IS AGREED THAT THE SELLER WILL RETAIN TITLE TO ANY EQUIPMENT OR MATERIAL FURNISHED UNTIL FINAL AND COMPLETE PAYMENT IS MADE, AND IF SETTLEMENT IS NOT AGREED, THE SELLER WILL BE HELD HARMLESS FOR ANY DAMAGES RESULTING FROM THE REMOVAL THEREOF. NET DUE ON RECEIPT IF NOT PAID AT THE TIME OF COMPLETION. HUSTON ELECTRIC, INC. RESERVES THE RIGHT TO TAKE ALL COLLECTION OR LEGAL ACTION ON PAST DUE ACCOUNTS THAT THE CLIENT(S) SHALL STILL BE RESPONSIBLE FOR ANY ATTORNEY FEES, COLLECTIONS AGENCY FEES, COSTS OF COLLECTIONS, COURT COSTS AND OTHER EXPENSES OR FEES. ACCOUNTS 60 DAYS PAST DUE FROM LAST DAY WORKED ARE SUBJECT TO MECHANIC'S LIEN.

\*\*\*SERVICE CHARGE OF 1.75% ON ACCOUNTS PAST DUE 30 DAYS\*\*

Visa, Mastercard and American Express Accepted for Payments up to \$5,000  
Call (765) 457-9137 or Email: [ar@hustonelectric.com](mailto:ar@hustonelectric.com) for Credit Card Payments

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GL Summary

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## Checks Detail

### Check Header

Vendor	1387	Remit	0	HUSTON ELECTRIC INC	
Cash Account	TREC-00-000-0000-000000-000000-101001-				Cash - Chase Ope
Check number	127831	Normal			
Check date	02/24/2022	Amount		1,240.00	
Status: Cleared	02/28/2022				
BOARD	RD022422				

### Check Detail

Document	Invoice	Inv Date	PO	Contract	Voucher	Amount	Re
137590	W47363	01/13/2022			139958	1,240.00	

City of Lafayette, Lafayette, IN 47901

PAGE: 1 OF 1

CHECK NUMBER:

00127831

INVOICE DATE	INVOICE NUMBER	DESCRIPTION	INVOICE AMOUNT
01/13/2022	W47363	INSTALL EV CHARGING STATIONS	\$1,240.00

Vendor No.	Vendor Name	Check No.	Check Date	Check Amount
1387	HUSTON ELECTRIC INC	127831	02/24/2022	\$1,240.00

02/24/2022

\$1,240.00

One Thousand Two Hundred Forty Dollars and 00 Cents\*\*\*\*\*

HUSTON ELECTRIC INC  
HUSTON ELECTRIC  
PO BOX 904  
KOKOMO, IN 46903-0904

**FILE COPY**  
**NON-NEGOTIABLE**