# 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):
	request fits into Beneficiary's Mitigation Plan (5.2.1):
<b>Detailed Description of Mitig</b>	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 requi	rement to be placed on each NOx source proposed to be mitigated (5.2.8).
Describe how the Reneficiery	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: 8/31/23

NAMEI

[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 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<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 two (2) light-duty electric vehicle charging stations. The charging stations are located and operated in Elkhart, 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 22 pounds of nitrogen oxides (NOx), 132 tons of greenhouse gases (GHG), and a reduction in petroleum use of 189 barrels.

#### Estimate of Anticipated NOx 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 22 pounds of nitrogen oxides (NOx).

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 46% of the total project cost while the Grantee and/or other programs covers the remaining 54%.

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	April 7, 2021	
Grantee project implementation	April 7, 2021 to June 30, 2023	
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	August 31, 2023	
Indiana coordinates with Trustee on any questions or issues that arise related to the submitted Appendix D-4	August 31, 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) Intertek or Underwriter's Laboratory certified compliant Level 2 electric vehicle charging stations to include at least two (2) SAE J1772 charging connections per station. This electric vehicle charging station shall be networked with capability for remote diagnostics, remote control	\$18,000.00	\$20,820.38	\$38,820.38
of the equipment, collecting and reporting usage data, and processing payments if fees are to be charged.			
Percentage	46%	54%	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	\$16,916,591.45
Submittals	. , ,
3) State of Indiana's Net Remaining Allocation	\$24,019,289.14
Prior to this D-4 Submittal	724,013,203.14
4) Current D-4 Funding Request Total	\$18,000.00
5) State of Indiana's Remaining Allocation After	\$24,001,289.14
this D-4 Submittal	724,001,203.14

## **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

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## **Projected Trust Allocations:**

	2020	2021	2022	2023
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	\$2,904,248.37
5) Current Beneficiary Project Funding to be paid through the Trust (Line 1)	\$101,199.00	\$130,705.00	\$9,000.00	\$18,000.00
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	\$2,922,248.37
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	\$24,001,289.14

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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 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 \$25,000 (5.2.6):

Detailed in the following pages:

#### APPENDIX C: MACOG Purchase Order – LilyPad EV (Sourcewell Vendor)



## **PURCHASE ORDER**

Number: 051321LP\_Elkhart

To: Keith Anderson LilyPad EV keith.anderson@lilypadev.com SHIP TO:
Jason Able
City of Elkhart
Department of Public Works
619 S. 5th Street
Elkhart, IN 46516
(574) 970-0501, jason.able@coei.org

P.O. DATE	Sales Quote No.	SHIPPED VIA	F.O.B. Destination	TERMS
05/13/2021	2268			Net 30

TOTAL	UNIT PRICE	DESCRIPTION	UNIT	QTY
\$20,89	\$10,447	ChargePoint: CT4021-GW1	Each	2
	included	ChargePoint CPCLD-ENTERPRISE 5	Each	4
	included	ChargePoint CT4001-CCM	Each	2
	included	ChargePoint CT 4000 ASSURE5	Each	2
	included	ChargePoint CPSSupport-SITEVALID	Each	1
	included	ChargePoint CPSSupport-ACTIVE	Each	2
\$20,89 Exem \$43	SUBTOTAL SALES TAX ING & HANDLING INSTALLATION	SHIP		
\$21,3	TOTAL			

Send Invoice to:

MACOG Accounting 227 W. Jefferson Blvd., Room 1120 South Bend, IN 46601 Phone 574-287-1829 Fax 574-239-4072

Email: invoice@macog.com

May 13, 2021

Authorized by

Date

## Appendix D: Invoice to City of Elkhart from MACOG (less MACOG's \$500 contribution)



INVOICE

NUMBER: 3447 DATE: JUNE 16, 2021

T0: Jeff Zavatsky City of ELkhart

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
2	Purchase and installation of an Electronic Vehicle Charging Stations acquired through a joint purchase through MACOG.	\$10,657.00	\$21,314.00
	Per MOU with MACOG dated 4/06/21, MACOG will contribute		(1,000.00)
	\$500 per unit purchased.		
		TOTAL DUE	\$20,314.00

Make all checks payable to:

Michiana Area Council of Governments 227 W. Jefferson Blvd. 1120 County-Building South Bend, IN 46601

THANK YOU!

#### APPENDIX E: Proof of Payment to MACOG (hardware/software)

Check 0000303849 Date: 10/12/2022 12:00:00 AM Routing Number: 071212128 Amount: 25314.00



BOOMS HERE

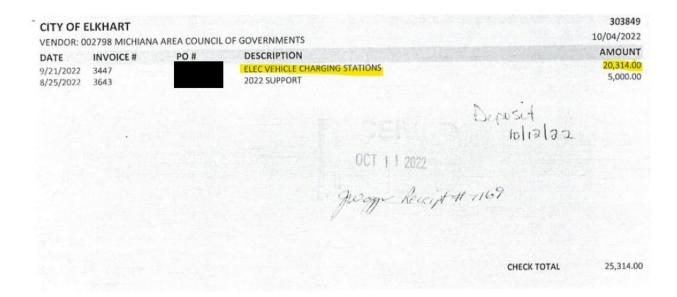
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Check 0000836896 Date: 10/12/2022 12:00:00 AM Routing Number: 071212128 Amount: 3813.50



## APPENDIX F – NIBCO Station (Jettline Electric) - Invoice & Proof of Payment for Electrical Work

Jettline Electric, Inc. 60388 C.R. 101 Elkhart, IN 46517 PH.574-320-0985 FX. 574-293-4474

## Invoice

Date	Invoice #
5/31/2023	13687

Bill To	
ELKHART ENVI 1717 E LUSHER ELKHART, IN 40	

			P.O. No.	Terms
			VERBAL.	Net 30
Quantity	Description		Rate	Amount
	JOB PER QUOTE EV CHARGER PROPOSAL	W P230108	2,060.00	2,060.00
HANK YOU FOR YOU LL YOUR ELECTRICA		ETTLINE FOR T	otal	\$2,060.00
rovided for info only. O	are included. All jobs are billed lump sum. Any lur banking institution uses Fisery to recover all ret	breakouts are pared checks.	ayments/Credits	\$0.60
/WW.JETTLINEELECT	RIC,COM	E	Balance Due	\$2,060.00

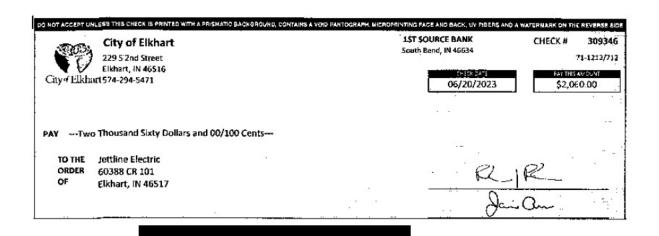
Client ID City o Elkht g47

Check #: 309346

Paid Amount \$2,060 00 Paid Date: 07/11/2023 Issued Date 06/20/2023

Issued Payee: Jettline Electric

Transaction Description
Trace Number: 5900005100



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Vendor Name: Jettline Elei Vendor Number: <u>024877</u> Paymank Number: 30			60383 CR 161 Elkhart, IN 465 U.S.A	17			
General Payables Distribution AP Automation	Payment Date Payment Type Packet	6/20/2023 Check APPKT02967 - LAW BOW 06:20.2	3	Payment Amount  Total Payment	\$2,060.00 \$2,060.00		
Documents	Bank Transaction Inform	ation —————					
	Bank Account Cash Account Status Clear Date Statement Date	Cutstanding		Pooled Cash in Bank Pooled Cash in Bank			

The invoice was paid by check on June 20, 2023. The City of Elkhart can provided updated documentation once the contractor cashes the check.

#### APPENDIX G: Gause Lot - 3 Invoices & Proof of Payment for Electrical Work

## **Navarre Services**

13750 McKinley Hwy Mishawaka, IN 46545-7473 US

Voice: 574-216-4544

Fax:

INVOICE Invoice Number: 23-10006-01

Invoice Number

May 10, 2023

Page:

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Bill To:	
Elkhart Public Works & Utility 1201 S. Nappanee St Elkhart, IN 46516	

Jobsite: Eikhart Public Works & Utility 1201 S. Nappanee St Eikhart, IN 46516

Customer ID	Customer PO	Paymen	t Terms
ELK003	Jason Able	Net 30	) Days
Sales Rep ID	Shipping Method	Ship Date	Due Date
			6/9/23
Quantity Item	Description	Unit Price	Amount

Quantity	Item	Description	Unit Price	Amount
2.00 1.00	Item	Description  Electrical services to install electric vehicle chargers.  Labor Material  APPROVED FOR PAYI  DATE: 6/1/23  DESCRIPTION: SEVICE PEDER	115.00 9,937.98	230.00 9,937.98
		PO NO: NA APPROVED BY:	\ M \( \)	29
		Subtotal		10,167.98
		Sales Tax		
		Total Invoice Amount		10,167.98
		Payment/Credit Applied		
		TOTAL		10,167.98

## **Navarre Services**

13750 McKinley Hwy Mishawaka, IN 46545-7473 US

Voice: 574-216-4544

Fax:

## Received MAY 2 3 2023

ELKHART PUBLIC WORKS & UTILITIES

Invoice Number: 23-10006-02

May 23, 2023

Invoice Date: Page:

1

Bill To:	Jobsin
Elkhart Public Works & Utility	Elkha
1201 S. Nappanee St	1201 S
Elkhart, IN 46516	Elkha

Jobsite:	
Elkhart Public Works & Utility 1201 S. Nappanee St Elkhart, IN 46516	

	CustomerID	Customer PO	Paymen	t Terms
	ELK003	Jason Able	Net 3	0 Days
	Sales Rep ID	Shipping Method	Ship Date	Due Date
_	00	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		6/22/23

Quantity	Item	Description	Unit Price	Amount
5.00		Electrical services to install electric vehicle chargers. Invoice cover Labor only for return trip week ending 05/14/23.  Labor	115.00	575.00
	24	APPE	ROVED FOR PA	YMENT
		DATE: 6	1/23	
		DESCRIP	TION: REMOVE TE	MP METER STRUCTURE
		ACCOUN		
		PO NO: N		J. Olia
		Subtotal		575.00
		Sales Tax		
		Total Invoice Amount		575.00
		Payment/Credit Applied		
		TOTAL		575.00

## **Navarre Services**

13750 McKinley Hwy Mishawaka, IN 46545-7473 US

Elkhart Public Works & Utility 1201 S. Nappanee St Elkhart, IN 46516

Voice: 574-216-4544

Fax:

Bill To:

Received

MAY 2 3 2023

ELKHART PUBLIC WORKS & UTILITIES

Invoice Number: 23-10006-03 Invoice Date:

May 23, 2023

Page:

	Jobsite:	
-	Elkhart Public Works & Utility 1201 S. Nappanee St Elkhart, IN 46516	

CustomerID		Customer PO	Ber T	Payment T	erms
ELK00	3			Net 30 D	ays
Sales Re	LINE ELIT	Shipping Method	S	hip Date	Due Date
Sales Ne	p io	Olipping manage			6/22/23
Quantity	Item	Description	1/2	Unit Price	Amount
duminy		Electrical services to install electric ve chargers. Invoice covers cost from st	100000000000000000000000000000000000000		

	Electrical services to install electric vehicle		
	chargers. Invoice covers cost from start of		
	job through 12/31/22.	1414333.63	10000
20.00	Labor	115.00	2,300.00
1.00	Material	2,403.40	2,403.40
307,100	0.000000		
	APPRO	VED FOR PAYM	IENT
	DATE: 6/1	122	
	DESCRIPTION	DN: TEMP SERVICE FOR GAUSE LOT	CONST. / INS
	ACCOUNT L	FOR GAUSE LOT	EV CHARGE
	ACCOUNT	INE:	
	PO NO: NA	-	
1			9 m
	APPROVED	BK: James	A. Chi
		V	
	Subtotal		4,703.4
	Sales Tax		
	Total Invoice Amount		4,703.4
	Payment/Credit Applied		
	TOTAL		4,703.4



1ST SOURCE BANK South Bend, IN 46634

EFT DATE 06/20/2023 \$15,446.38

#### PAY \*\*\* VOID \*\*\* NON-NEGOTIABLE \*\*\* VOID \*\*\* FOR INFORMATION ONLY \*\*\* VOID \*\*\*

TO THE NAVARRE INC.

ORDER 13750 MCKINLEY HWY MISHAWAKA, IN 46545-7473

CITY OF ELKHART				
VENDOR: 0	06/20/2023			
DATE	INVOICE #	PO #	DESCRIPTION	AMOUNT
5/10/2023	23-10006-01		electrical services for EV chargers	10,167.98
5/23/2023	23-10006-02		electrical services for EV chargers	575.00
5/23/2023	23-10006-03		electrical services for EV chargers	4,703.40

