## APPENDIX D-4

## Beneficiary Eligible Mitigation Action Certification



University of New Mexico Parking & Transportation Services (UNM PATS) Near-Zero Bus Replacement Project # NM-VW-22-07

## BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

#### Beneficiary State of New Mexico

Lead Agency Authorized to Act on Behalf of the Beneficiary New Mexico Environment Department

(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:	UNM PATS Near-Zero Bus Replacement Project #			
Beneficiary's Project ID:	NM-VW-22-07			
Funding Request No.	(sequential) 032			
Request Type:	Reimbursement - PARTIAL			
(Select one or more)	□Other (specify):			
Payment to be made to:	□Beneficiary			
(Select one or more)	⊠Other (specify): UNM PATS			
Funding Request & Direction	⊠Attached to this Certification			
(Attachment A)	□To be Provided Separately			

## **SUMMARY**

**Eligible Mitigation Action** ⊠ Appendix D-2 item (specify): Eligible Mitigation Action 2. Class 4-8 School Bus, Shuttle Bus, or Transit Bus (Eligible Buses)

Action Type □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 Beneficiary Mitigation Plan's overarching goal is to protect New Mexico's environment and the health of our citizens. The Trust allows the State the opportunity to offset (mitigate) the impact of excess nitrogen oxide (NO<sub>x</sub>) emissions associated with the affected vehicles registered within New Mexico. The reduction of NO<sub>x</sub> from mobile sources achieves the intended use of Trust funds by preventing the deterioration of air quality, ensuring the health and safety of the inhabitants of the state, and promoting visibility improvement within New Mexico. Implementation of diesel NO<sub>x</sub> reduction projects using Trust funds will have immediate and long-lasting benefits. The proposed project will reduce emissions of NO<sub>x</sub>, focusing on the most costeffective vehicles that maximize emission reductions.

Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2): The UNM campus is centrally located in the City of Albuquerque, within Bernalillo County. The shuttle service, operated by UNM PATS provides transportation needs to over 1,367,715 commuters annually, including students, faculty, staff, and visitors to the UNM campus. Visitors utilize its hospital facilities and attend cultural and athletic events year-round. The project area covers 1.2 square miles. UNM PATS' shuttle services operate Monday through Friday, approximately 248 days per year and approximately 12 hours per day. UNM is replacing six diesel-fueled shuttle buses (two 30-passenger buses, and four 48-passenger buses) (MY 2007, 2007, 2008, 2008, 2008, 2008), with near-zero CNG. The buses will be built with a Cummins ISX12N engine, which is certified to the CARB near-zero NOx standard of 0.02 g/bhp-hr. This certification is 90% cleaner than the current new diesel truck engine manufacturing standard. The ISX12N engine is far quieter than diesel engines, reducing noise pollution, and has a greater drive range than other alternative technologies. Replacing six old diesel (2 g/bhp-hr NOx) buses with new near-zero NOx (.02 g/bhp-hr. NOx) CNG engine equipped buses will have a significant impact on local emissions in the most populated and lower income areas of Albuquerque. NOX is a major contributor to smog formation and CNG technology reduces NOx emissions by more than 90% over diesel. Bernalillo County is on the cusp of non-attainment for the current ozone (O3) NAAQS. Anthropogenic emissions from within the County contributed between 5 and 16 parts per billion of ozone during the modeled high-ozone episode days of June through July 2017.

Estimate of Anticipated NO<sub>x</sub> Reductions (5.2.3):

The total lifetime NO<sub>x</sub> reduction for this project is estimated to be 1.9 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):

The New Mexico Environment Department Administrative Services Division is the governmental entity responsible for reviewing and auditing expenditures of EMA funds to ensure compliance.

Describe how the Beneficiary will make documentation publicly available (5.2.7.2):

The New Mexico Environment Department has created a public website, <u>https://www.env.nm.gov/vw-settlement/</u> for information relating to the Trust, the VW Partial Consent Trust Decrees, New Mexico's Beneficiary Mitigation Plan, and project implementation information. To provide transparency and accountability, the NMED will post information on its website.

**Describe any cost share requirement to be placed on each NO**<sub>x</sub> **source proposed to be mitigated (5.2.8):** The total estimated project cost to replace six diesel-fueled shuttle buses (MY 2007, 2007, 2008, 2008, 2008), 2008), with near-zero CNG, is One Million Five Hundred Eleven Thousand Nine Hundred Twenty-Eight dollars (\$1,511,928). UNM PATS was awarded Trust funding for the full amount. One of the smaller, 30 passenger buses was replaced in Q2 of 2024 at a cost of Two Hundred Twenty-Two Thousand Two Hundred dollars (\$222,200). UNM PATS is requesting this amount, which is 15% of the total estimated cost. The remaining smaller, 30 passenger bus, and the four, larger, 48 passenger buses will be replaced later in 2024, utilizing the balance of their award which is One Million Two Hundred Eighty-Nine-Thousand Seven Hundred Twenty-Eight dollars (\$1,289,728).

Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9):

On February 27, 2018, NMED sent notice to the U.S. Department of the Interior and the U.S. Department of Agriculture using the contact information provided in subparagraph 4.2.8.

If applicable, describe how the mitigation action will mitigate the impacts of NO<sub>x</sub> emissions on communities that have historically borne a disproportionate share of the adverse impacts of such emissions (5.2.10): The VW Mitigation Trust funds have afforded the State the opportunity to advance environmental justice goals. New Mexico's Draft Mitigation Plan expresses a commitment to prioritizing projects that benefit those communities most impacted by poor air quality. Historically, minorities and those living below the poverty level have borne a disproportionate share of air pollution, including emissions associated with non-road and

on-road heavy-duty diesel-fueled vehicles. UNM PATS is lowering their carbon footprint by transitioning its fleet to the cleanest available technology. 59% of residents in the surrounding UNM area, identify as "people of color" and 36% earn less than \$25,000 per year. The City of Albuquerque has a population of 564,559, of which 51,375 (9.1%) are without health insurance, and 94,410 (16.9%) live at or below the poverty level. UNM has very high racial diversity with 65% of the student body representing minority populations and is a federally designated Hispanic Serving Institution (HSI) in accordance with the Department of Education's Higher Education Act of 1965. These sensitive populations are more vulnerable to the negative health effects of diesel exhaust exposure. However, the population that is most affected by the emissions of diesel transit buses are the riders themselves. The project buses are built on a school bus chassis, which according to the Natural Resources Defense Council, and the Coalition for Clean Air's 2001 study, "*No Breathing in The Aisles – Diesel Exhaust Inside School Buses*", a passenger may be exposed to as much as four times the levels of toxic diesel exhaust as a someone who is standing outside of it.

#### **ATTACHMENTS**

#### (CHECK BOX IF ATTACHED)

$\boxtimes$	Attachment A	Funding Request and Direction.
$\boxtimes$	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
X	Attachment D	Detailed cost estimates from selected or potential vendors for each proposed expenditure exceeding \$25,000 (5.26).
	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).

#### CERTIFICATIONS

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

- 1. This application is submitted on behalf of Beneficiary the State of New Mexico, 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 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: 5/7/2024

*Kirby Olson* Kirby Olson

Planning Section Chief, Air Quality Bureau

#### **New Mexico Environment Department**

For

State of New Mexico

## ATTACHMENT B PROJECT MANAGEMENT PLAN PROJECT SCHEDULE AND MILESTONES

Milestone	Date
Lead Agency Provides Notice of Availability of Mitigation Action Funds	12/3/2021
Pre-application meetings with applicants	3/1/22
Project Sponsor Submits Proposal to Lead Agency	3/14/2022
Lead Agency Provides Written Approval of Project Sponsor's Proposal	7/8/2022
Project agreements signed.	10/11/22
Lead Agency Incorporates Project Sponsor's Proposal into Mitigation Plan	NA
Trustee Acknowledges Receipt of Project Certification and Funding Direction	Q2 2024
Trustee Allocates Share of State Funds for Approved Project	Q2 2024
Project Sponsor Obtains Cost Share, Notifies or Certifies to Lead Agency	3/14/2022
Project Sponsor Enters into Contracts, Purchase Orders, etc. – Start	10/11/2022
Project Sponsor Enters into Contracts, Purchase Orders, etc. – Complete	Q2 2024
Project Installations(s) – Start	10/18/2022
Project Installations(s) – Complete	Q2 2024
Project Sponsor provides detailed invoices for all claimed project costs,	4/25/2024
documentation for emission reduction estimates, required certification documents to	
Lead Agency to support direction to Trustee for Payment (Reimbursement, Direct-to-	
Vendor) or final accounting (Forward Funded Projects)	
Lead Agency completes review and certifies payment direction to Trustee	Q2 2024
(Reimbursement)	
Trustee Acknowledges Receipt of Direction for Payment(s) (Advance Funded,	Q2 2024
Reimbursement)	
Lead Agency Reports Project Completion	Q2 2024

## PROJECT BUDGET

Pe	eriod of Performance:	10/18/22 - 6/30/2025		
Budget Category	Total Approved Budget	Share of Total Budget Funded by the Trust	Cost-Share, if applicable (Entity #1)	Cost-Share, if applicable (Entity #2)
1. Equipment Expenditure	\$1,511,928	\$1,511,928	\$0	\$0
2. Contractor Support	\$0	\$0	\$0	\$0
3. Subrecipient Support	\$0	\$0	\$0	\$0
4. Administrative <sup>1</sup>	\$0	\$0	\$0	\$0
Project Totals	\$1,511,928	\$1,511,928	\$0	\$0
Percentage	100%	100%	0%	0%

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

#### ATTACHMENT C DETAILED PLAN FOR REPORTING ON ELIGIBLE MITIGATION ACTION IMPLEMENTATION

The New Mexico Environment Department (NMED), as the lead agency for the State of New Mexico for implementing the Volkswagen Environmental Mitigation Settlement Plan, has established a webpage for the Settlement and mitigations actions, <u>www.env.nm.gov/vw-settlement/</u>. NMED will post documents and links as required under Paragraph 7 of Appendix D-3 Certification for Beneficiary Status form. NMED is subject to the Open Meetings Act, which provides the statutory guidelines for conducting public meetings and the Inspection of Public Records Act, which is a New Mexico state law that provides the public and media access to public information.

For the initial round of funding, NMED solicited, through a competitive process, public and private entities for funding opportunities. Projects were selected through a scored application using an identified scoring criterion. The records of selected projects will be posted and made available on the NMED VW Settlement webpage. The public website was created specifically to provide information related to the Trust, the VW Partial Consent Decrees, and accountability. NMED will post timely updates on the following:

- General information on the Trust and Consent Decrees
- The State's final Beneficiary Plan
- All public records supporting funding requests the NMED submits to the Trust
- All public records supporting all expenditures of the Trust Fund
- NMED contact information

After the initial round of funding, NMED will periodically evaluate the implementation of the State's Beneficiary Mitigation Plan (BMP) and associated Eligible Mitigation Actions and will determine whether any revisions to the BMP and funding levels need to be reevaluated. If revisions to the BMP are warranted, NMED will seek public input on BMP revisions with a minimum of a 30-day public comment period.

In addition, the State will also comply with the reporting obligations listed in the Environmental Mitigation Trust Agreement for State Beneficiaries in Subparagraph 5.3.

## ATTACHMENT D DETAILED COST ESTIMATE FROM SELECTED OR POTENTIAL VENDORS FOR EACH PROPOSED EXPENDITURE EXCEEDING \$25,000 (5.2.6)

See attached invoices.



To: New Mexico Environment Department (NMED) 525 Camino de los Marquez, Suite 1 Santa Fe, NM 87505

From: Shawn Arruti, Director, UNM Parking & Transportation Services (UNM PATS) 2401 Redondo Drive NE Albuquerque, NM 87106

Date: April 19, 2024

RE: Request for payment, Grantee: UNM Parking & Transportation Services (UNM PATS) Project: UNM PATS Near-Zero Bus Replacement Project, Agreement #: NM-VW-22-07

UNM Parking & Transportation Services (UNM PATS) is requesting reimbursement from the NMED in the amount of \$222,200 for the replacement of 1 shuttle bus. The reimbursements for the remaining 5 new shuttle buses will be requested upon arrival and payment.

Old Vehicle VIN	Old Model Year	New Vehicle VIN	New Model Year
1T7YL2A2891110746	2009	1T7Y32F29R1217801	2024

Documentation included in this packet:

- Invoice for purchase of new bus
- Proof of payment
- Proof of disabling old vehicle:
  - Photos include: 1) Side profile; 2) Engine out of bus prior to 3" hole; 3) Engine block after 3" hole; 4) VIN; and 5) Rails cut in half left side 6) Rails cut in half right side
- Photos of new vehicle
  - o Photos include1) front profile; 2) side profile 1 3) side profile 2 and 4) VIN
- Certificate of Vehicle Scrappage, signed by authorized representative
- Banking information

I verify all work performed on this grant was completed in conformance with all Volkswagen Mitigation Trust Program requirements, applicable laws, and established procedures. Supporting documentations are on file and available for auditing purposes.

Thank you,

AL\_

Shawn Arruti Director, UNM Parking & Transportation Services

BUS 1932

CHTOPA 3-8-24

ALBUQUERQUE FREIGHTLINER

12901 US HWY. 66 W FRONTAGE RD ALBUQUERQUE, NM 87121 (505)833-1000



Invoice DE-36394-2 Date 02/22/2024

#### VEHICLE BILL OF SALE

Purchase Order

Salesperson: Danny Torres
Bill To: 2008015

Sold To:

UNIVERSITY OF NEW MEXICO 2301 CENTRAL AVE ALBUQUERQUE NM 87131-0001 Phone:(505)277-3659 Email:bmorck@unm.edu

## UNIVERSITY OF NEW MEXICO 2301 CENTRAL AVE ALBUQUERQUE NM 87131-0001

1T7Y32F29R1217801	New - 2024 Thomas Safetyliner HDX	\$222,200.00
and the set of the set		Unit Total: \$222,200.00
Total Sales Price	te de la constante de la consta	\$222,200.00
Net Sales Price		\$222,200.00
AMOUNT DUE		\$222,200.00
Cash / Down Payment		-\$0,00
Amount Financed/Cash Due		\$222,200.00
hereof comprises the complete and exclusive statement of t ACCEPTED BY THE DEALER PRINCIPAL OR HIS/HER A and has received a copy of the order, A DOCUMENTARY F HANDLING DOCUMENT'S RELATING TO THE SALE, A D	page two of this document, which is incorporated here in by inference, AND WH es all the terms and conditions on both pages of this order and that this order or the terms of this agreement, relating to the subject matters covered hereby, and UTHORIZED REPRESENTATIVE. Purchaser by higher execution of this order EE IS NOT AN OFFICIAL FEE. A DOCUMENTARY FEE IS NOT REQUIRED I DOUMENTARY FEE MAY NOT EXCEED A REASONABLE AMOUNT AGREET AASER BY DEALER UNDER THIS ONDER IS SOLD AS A USED VEHICLE. T	Ancels and supersedes any prior agreement and as of the date that THIS ORDER SHALL NOT BECOME BINDING UNTIL acknowledges the heishe has read its terms and conditions 3Y LAW, BUT MAY BE CHARGED TO BUYERS FOR TO BY THE DADTED THE MONTHER FOR

LAW, IF THE PURCHASED VEHICLE(S) SOLD TO PURCHASER BY DEALER UNDER THIS ORDER IS SOLD AS A USED VEHICLE, THE VEHICLE IS SOLD AS IS S

		A a serie a se A debite serie a serie a Abre a serie a s	n an san an a - san san aite a - san san aite
	A diation		
Purchase By	Name (Printed) ( Darmy Torre	(X) Also their the	2/22/2024 <sup>Date</sup> 2/22/2024
	Name (Printed)	Signature DF-36394-2	Date

Doon 1 of 0

# Invoice Summary - Supplier Invoice No. DE-36394-2 (Doc. No. IN198100)

Supplier Invoice No.DE-36394-2Supplier NameTNTX LLC

General		A	ddresses	Note/Attachments	
Invoice Type Pay Status Invoice Number Supplier Invoice No. Supplier Name Invoice Date Discount Date Due Date Terms Terms Discount Invoiced By Match Status Invoice Source Contains substituted tem(s) Export Date	Invoice Paid IN198100 DE-36394-2 TNTX LLC 2/22/2024 3/26/2024 3/26/2024 3/26/2024 Christine Benavidez Matched Manual	Remit To Remit To Location List Bill To acctspay@unm.edu 505-277-2014 UNM Accounts Payable PO Box 4548 Albuquerque, NM 87196 United States		<ul> <li>External Note no note</li> <li>External Attachments</li> <li>▲ 12-16-2022 Update</li> <li>Internal Attachments</li> <li>▲ 2020-27 Abq Freig</li> <li>▲ P &amp; T Creative Bu</li> <li>▲ P &amp; T Creative Bu</li> <li>▲ P &amp; T Roberts Tru</li> <li>▲ P &amp; T Email regar</li> <li>▲ P0197437 TNTX, LL</li> <li>▲ P0197437_TNTX_LLC</li> </ul>	
		Paymen Accounting Date Enclosure Code F.O.B. Payment Method Payment No. Payment Date	nt Information 3/27/2024 <i>no value</i> Destination Unknown 40362122 3/27/2024	Discount, Tax, Shipping & Handling Discount, tax, shipping & handling Allocation Weighted Header-level Discount 0.00 USD Tax 1 0.00 USD Tax 2 0.00 USD Shipping 0.00 USD Handling 0.00 USD	

					Total	222,20	00.00 USD
			C	odes			
LINE	Chart	Index	Fund	Organization	Account	Fund Type	Program
	U University of New Mexico	<b>314045</b> 747661-PARKING SERVICES	2P0165 MP UX Unexp Desig Res	<b>314E0</b> Parking Operations	<b>9000</b> Equipment/Furniture >\$5,000	62 UX Main	<b>P501</b> Property Plant an Equipment
			l ine lt	em Details			
			Line It	em Details			

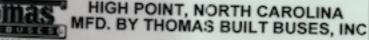
P0197437 P0 Line	Product Description			Catalog No	Size / Packaging	Unit Price Quantity	y Ext. Price
1 🗸 1	2024 Thomas Built Bus Model Profile Saf-T-Liner H (Commercial Transportation)		ner HDX 110YN	Saf-T-Liner HSX 110YN	EA	222,200.00 USD 1 EA 222,200.00 USD	
		PO Number PO Departmen Invoice Owner Line Match Sta Matching Sum Quantity: Ext. Price: Related Docum Invoices: 0 / 0	t n <u>tus</u> N mary Ordered 2 444,400.00 USD	0197437 o value eanna O'Dell Matched Received 1  s: 1 <u>show list</u>	Net Invoiced 1 222,200.00 USD	5 to Internal Note no n Discount, tax, shipping From L header Discount 0.00 USD 0 Tax 1 Non- 0 taxable	icles, greater than in <i>note</i> <u>(&amp; handling</u> .ine-level 0.00 USD 0.00 USD 0.00 USD
						Subtotal Discount Tax1 Tax2 Shipping Handling Total	222,200.00 0.00 0.00 0.00 0.00 0.00 222,200.00 US







1832



MFD. BY THOMAS BUILT BUSES, INC. INC. VEH, MFD, BY: THOMAS BUILT BUSES

DATE: 09-202 DATE: 09-202

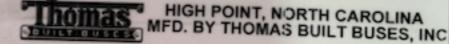
VEHICLE EMISSION CONTROL INFORMATION VEHICLE IDENTIFICATION NUMBER: 1T7Y32F29R1217801

VEHICLE FAMILY CODE: PDTN2VOCV04M

REGULATORY SUBCATEGORY: Compression-Ignition Medium HDV - Multipurpose EMISSION CONTROL IDENTIFIERS: LRRA

THIS VEHICLE COMPLIES WITH THE U.S. EPA AND CALIFORNIA **REGULATIONS FOR 2023 HEAVY-DUTY VEHICLES** BODY ID: 217801-2330847-110YN SEE OWNER'S MANUAL FOR PROPER MAINTENANCE OF THIS VEHICLE

TBB PART NUMBER: 176984



INC VEH MFD BY: GVWR: 15513KG 34200\_BS GAWR FRONT: 5987KG 13200LBS W/ 22.5X8.25 RIMS, TIRES 11R22.5 TIRES @ 827KPA (120 PSI) COLD

THOMAS BUILT BUSES

09-2023 09-2023

"H" LOAD RATING SINGLE GAWR REAR: 9525KG 21000LBS W/ 22.5X8.25 RIMS, TIRES 11R22.5 "H" LOAD RATING DUAL

THIS VEHICLE CONFORMS TO ALL APPLICABLE U.S. FEDERAL MOTOR VEHICLE SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE SHOWN ABOVE. VIN: 1T7Y32F29R1217601 VEH. TYPE: BUS

BODY ID: 217601-2330847-110YN

TIRES @ 827KPA (120 PSI) COLD

TBB PART NUMBER - 206621

VINANUFACTURED IN ....

New Mexi	co VW Settlen	nent	
Certificate of V	ehicle/Engine S	Scrappage	
Grantee Name:			
Grant Number:			
Vehicle/Equipment Owner Name:			
Vehicle/Equipment Owner Address:			
Old Vehicle/Chassis Information			
Make: Thomas	Vehicle ID Number:	1774L2A289	111074/2
Model: 10 YN	Odometer Reading:	128057.2	Miles
Year: 2009		N	
Old Engine Information			
Make: Mercedes	Horsepower:		
Model: Mbc.926250	ID or Serial No.	: 9269635000	86D1
Year: 2009	Hour Meter Rea	ding:	hours
Name of Dismantler: RV'S FRANPORT	ATION		
Address of Dismantler: P: P Bor 456		87560	
Date Vehicle Accepted by Dismantler: 3 - 4	1-2024		

#### Grantee/Authorized Representative:

Date engine/chassis scrapped: Hpril Lip 2024

**Statement:** I certify that the old engine and chassis have been permanently scrapped. Scrapping the engine consists of cutting or punching a three inch by three-inch (3" x 3") hole in the engine block. Scrapping the chassis consists of cutting completely through the frame/frame rails on each side of the vehicle at a point located between the front and rear axles. If other, pre- approved scrappage methods were used, details and documentation are attached. Photos of the scrapped engine/chassis that are required pursuant to the Terms and Conditions of the Mitigation Trust Fund award agreement are attached to this Certificate of Vehicle/Engine Scrappage.

Authorized Name: Print Name Lozy Authorized Signature: ( Date:

Note: Documentation must include JPEG images of the following, with corresponding file names: 1) Side profile. 2) Engine label. 3) Engine block - prior to hole. 4) Engine block - after hole. 5) VIN or HIN. 6) Chassis rail cut in half. 7) Others, as needed.











