



Texas Emissions Reduction Plan (TERP) American Recovery and Reinvestment Act (ARRA) Rebate Grants Program Application Forms

TCEQ-20549
Version 10.01

For this special program, and subject to additional requirements explained in the Notice of Rebate Grants (NRG), replacement on-road vehicles and engines may be powered by diesel, natural gas, or propane.

Replacement of non-road equipment and engines may only be diesel-powered.

Please Note:

- 1. Applications and accompanying contract documents with altered language will be void.*
- 2. If the application is approved and the signature page is signed by both parties, the application package becomes a binding contract.*

ELIGIBLE COUNTIES

Austin: Bastrop, Caldwell, Hays, Travis, and Williamson Counties

Beaumont-Port Arthur: Hardin, Jefferson, and Orange Counties

Dallas-Fort Worth: Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant Counties

Houston-Galveston-Brazoria: Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties

San Antonio: Bexar, Comal, Guadalupe, and Wilson Counties

Tyler-Longview: Gregg, Harrison, Rusk, Smith, and Upshur Counties

Application Deadline:

TERP-ARRA Rebate Grants will be awarded on a first-come, first-served basis.

Applications will be accepted until April 30, 2010, unless all funding is distributed prior to this closing date, the TCEQ suspends the program at an earlier date, or the TCEQ extends the application period.



Texas Commission on Environmental Quality
Air Quality Division
Implementation Grants Section (ARRA Grants), MC-204
P.O. Box 13087
Austin, TX 78711-3087
1-800-919-TERP (8377)

www.terpgrants.org

TERP-ARRA REBATE GRANT APPLICATION INSTRUCTIONS

This application is to be used to apply for a American Recovery and Reinvestment Act (ARRA) Rebate Grant for projects under the Texas Commission on Environmental Quality's (TCEQ) Texas Emission Reduction Plan (TERP) program. Please note, this special program differs from the regular TERP Rebate grants and TERP Emissions Reduction Incentive Grant programs.

Project eligibility criteria and types of purchases eligible under this program are explained in the TCEQ's Notice of Rebate Grants (NRG). By signing the application, the applicant is agreeing to the Terms and Conditions of the TERP-ARRA Rebate Grant Program, which become part of the TERP-ARRA Rebate Grant Agreement. Applicants should review the TCEQ General Terms and Conditions, the Federal Conditions, and the NRG before completing this application. Documents can be found at <www.terpgrants.org>.

HOW TO APPLY:

1. Submit a separate application for each vehicle or piece of equipment. The application forms must be fully completed and all signature blocks must be signed and dated.
 - The forms must include original signatures in all signature blocks and should be signed in BLUE ink. Photocopies, faxes, scanned copies, or other copies of a required signature will not be accepted.
 - Applications must be typed or completed in ink.
 - Do not staple the application forms.
 - All forms must be legible and unaltered. Application forms that are altered will not be accepted.
2. Attach all required attachments. Depending on the project type, attachments may include: a detailed quote/bid, photographs of the vehicle/equipment to be replaced, proof of registration and current safety inspection, and a copy of the vehicle title.
3. Submit **three** copies (one must have an original signature) of the completed application to:

Regular Mail:

Texas Commission on Environmental Quality
Air Quality Division
Implementation Grants (ARRA Rebate), MC-204
P.O. Box 13087
Austin, TX 78711-3087

Express Mail:

Texas Commission on Environmental Quality
Air Quality Division
Implementation Grants (ARRA Rebate), MC-204
12100 Park 35 Circle, Bldg. F
Austin, TX 78753

Applications may be hand delivered to TCEQ at the reception desk, Rm. 2202, 2nd floor of Building F.

PLEASE NOTE:

- A maximum of 10 applications per entity can be submitted during this grant period.
- Applicants may not apply simultaneously for the same project under a different TERP grant program and this program.
- Applications will not be accepted for an activity that was previously awarded a TERP grant and that was subsequently canceled by the grant recipient after the date of issuance of the Notice of Rebate Grants.

EXCEL INSTRUCTIONS:

Each of the forms is on an individual Excel worksheet within a Workbook. Use the tabs located at the bottom of the worksheet to access each form.

PRINTING FROM EXCEL:

In order to print all the pages located in the workbook, please follow these directions:

(1) Click on "File" (2) Click on "Print" (3) Under the "Print What" section, select "Entire Workbook."

APPLICATION PROCESSING

- Applications are processed on a first-come, first-served basis.
- Applications that are not complete or contain errors will be returned to the applicant with a letter of explanation.
- Approved applications will be signed by the TCEQ and will become a binding contract.
- A portion of the available grant funds will be set aside for special allocation to small businesses, as defined on Form 2.

PUBLIC INFORMATION NOTICES

If you have questions on how to fill out this form or about the Texas Emissions Reduction Plan program, please contact us at 1-800-919-TERP (8377).

Upon submission, all proposals become the property of the State of Texas and as such become subject to the Texas Open Records Act, Texas Government Code, Chapter 552.

Personal Information Policy: Individuals are entitled to request and review their personal information the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact the TCEQ TERP program at 1-800-919-TERP (8377).

TERP-ARRA REBATE GRANT GRANT INFORMATION AND REQUIREMENTS

Below is a list of the basic grant requirements for the TERP-ARRA Rebate Grant Program. Please refer to the Notice of Rebate Grants (NRG) for a complete list of grant requirements as well as additional information about the program.

ELIGIBLE APPLICANTS

Persons who operate or plan to operate on-road heavy-duty vehicles or non-road equipment in the eligible counties are eligible to apply for a TERP-ARRA Rebate grant.

Businesses or other entities in which a TCEQ employee, spouse, or family member of a TCEQ employee has a direct or indirect interest, financial or otherwise, may be prohibited from receiving a grant, depending upon the nature of the interest. Any questions regarding the eligibility of an entity to apply for a grant should be referred to the TERP staff early in the application process.

ELIGIBLE PROJECTS

- Grants will be accepted for on-road and non-road projects applying for replacement or repower funding.
- Vehicles/equipment/engines being replaced must be diesel-powered.
- Non-road equipment and engines being purchased must be diesel-powered.
- On-road vehicles and engines being purchased may be powered by diesel, natural gas, or propane.
- Replacement on-road vehicles powered by a natural gas or propane engine must be certified to meet or exceed the current 2010 U.S. Environmental Protection Agency (EPA) heavy-duty diesel or otto-cycle engine emissions standards of 0.2 grams per brake-horsepower hour (g/bhp-hr) of NO_x.
- For replacement projects, the applicant must have continuously owned the vehicle/equipment for the preceding two years.
- For replacement projects, the vehicle/equipment must currently be in operating condition.

ON-ROAD VEHICLE REQUIREMENTS

On-road heavy-duty vehicles consistent with the weight categories and model years listed in the appendices of the NRG are eligible for TERP-ARRA Rebate grants under this program. On-road vehicles must have a gross vehicle weight rating (GVWR) of 8,500 pounds or greater to be eligible. The replacement vehicle/engine must be certified to emit at least 25 percent less NO_x than the vehicle/engine being replaced or repowered.

The applicant must designate in the application the percentage of the annual mileage that will occur in the eligible counties, which may not be less than 25 percent of the annual mileage. In addition to the percentage of annual miles in the eligible counties committed to by the applicant, the applicant must also commit to operating the vehicle at least 75 percent of the annual miles in a combination of the eligible counties and on one or more of the designated highways or roadways.

NON-ROAD EQUIPMENT REQUIREMENTS

Non-road diesel equipment consistent with the equipment types, horsepower ranges, and model years listed in the appendices of the NRG are eligible for TERP-ARRA Rebate grants under this program. Non-road equipment must be powered by a diesel engine 25 horsepower (hp) or greater to be eligible. The replacement equipment/engine must be certified to emit 25 percent less NO_x than the equipment/engine being replaced or repowered.

The applicant must commit to use the equipment at least 75 percent of the annual hours of operation in the eligible counties that the applicant designates in the application. The applicant must also commit to an activity life of either 5 or 7 years in the application.

NON-ROAD UPGRADE SYSTEM

Subject to approval of the TCEQ, a non-road engine emissions upgrade system verified by the U.S. Environmental Protection Agency (EPA) or the California Air Resources Board (CARB) to result in a reduction in NO_x emissions of at least 25 percent may be considered a repower. Please refer to the Notice of Rebate Grants (NRG) for additional information.

USE OF CONSULTANTS

Private consultants may be available to assist an applicant to complete and submit an application. These consultants do not represent the TCEQ, and the TCEQ neither encourages nor discourages the use of a consultant to assist with the application process. The TCEQ has no agreement with any consultant that applications submitted by a particular consultant will receive more favorable treatment than other applications. Any fees charged by a consultant are the responsibility of the applicant and may not be charged to the grant, either directly or as an addition to the cost basis of the grant-funded vehicle or equipment. Also, all purchase decisions must be based on sound business practices and arm's length bargaining. It is generally considered acceptable for an applicant to accept assistance from a dealer or an agent of a dealer in preparing an application, as long as any decision by the applicant to purchase the grant-funded vehicle or equipment from that dealer is made independently and meets the other reasonableness provisions in the grant contract.

However, if the consultant is paid directly by the applicant to complete the application documents and to act as the applicant's agent for the grants process, purchases of grant-funded vehicles or equipment from a company in which the consultant has an interest would not normally be considered appropriate by the TCEQ under the reasonableness requirements of the grant contract.

USE OF GLOBAL POSITIONING SYSTEMS (GPS)

The costs to purchase and install a GPS to track and log the location and use of the equipment may be included in the incremental costs. Ongoing operational and maintenance charges may not be included. The GPS system must be purchased from the vendor authorized by and contracted with the TCEQ to provide the system. Contact TCEQ for information on the approved GPS provider.

If the costs for the purchase and installation of a TCEQ-approved Global Positioning System (GPS) are included in the grant, the grant recipient must agree to pay for any required ongoing operational costs of using the GPS, including the reporting system provided by the vendor, for the Activity Life. Failure to maintain and use the GPS may result in a requirement to return any grant funds used to pay for all or part of the purchase and installation of the GPS.

If the grant recipient installs a GPS from the TCEQ-authorized GPS contractor, either as part of the grant or with other funds, the TCEQ may accept the reports available from the GPS service provider in lieu of the grant recipient submitting semi-annual usage reports. The grant contract will contain specific requirements for using this reporting option. In particular, the grant recipient must agree to periodically verify the information being reported and to pay for the ongoing costs associated with obtaining the reports from the GPS provider.

TERP-ARRA REBATE GRANT INSTRUCTIONS FOR USING REBATE FUNDING TABLES

In order to complete the application forms, the applicant must use the appropriate Rebate Table provided in the appendices of the Notice of Rebate Grants (NRG). The Rebate Tables are also provided at <www.terpgrants.org>.

Follow the instructions below on how to use the Rebate Tables to determine the Maximum Rebate Grant Amount you are eligible for. You must determine the eligible amount in order to complete Forms 8a or 8b of the application. More detailed instructions can be found in Appendix A of the NRG.

ON-ROAD VEHICLES (Tables provided in Appendix C)

Step 1. Determine which set of On-Road Tables (Set A, B, or C) to use based on the annual usage.

Complete section 1A of Form 5 to determine the total percentage of annual mileage spent operating in the eligible areas, which must be 25% or greater to be eligible. Once the total percentage is determined, find the coordinating set of tables.

- If the total from Section 1A of Form 6 falls between: 75 - 100% use Set A Tables
- If the total from Section 1A of Form 6 falls between: 50 - 74% use Set B Tables
- If the total from Section 1A of Form 6 falls between: 25 - 49% use Set C Tables

Step 2. Find the correct table based on the gross vehicle weight rating (GVWR).

The tables are listed by weight categories. Find the table corresponding to the weight category of the vehicle. Note that you may not replace a vehicle from one weight category with a vehicle from another weight category. The GVWR category must match the GVWR listed on [Form 6](#).

Step 3. Use the model year and certified engine emissions rate for the old and replacement vehicle.

If you don't know the certified engine NO_x emissions rate, you may use the default of 2.375 g/bhp-hr for 2007 and later diesel engines. Replacement natural gas or propane engines must be certified to the current NO_x emissions standard of 0.2 g/bhp-hr or lower. In most cases, the emission rate for the old engine corresponds to the engine model year. Be sure to check with your dealer to confirm the emissions of the new engine. The engine emissions can be verified by either looking up the engine family code (listed on the emissions label affixed to the engine) or when available, finding the certified NO_x emissions on the label (normally listed in grams per brake horsepower-hour g/bhp-hr). For non-road engines you can use the certified NO_x emissions Tier (the Tier levels correspond to the federal NO_x emissions standards). Use the information gathered to determine the rebate grant amount from the rebate grant tables.

NON-ROAD EQUIPMENT (Tables provided in Appendix D & E)

Step 1. Determine which set of Non-Road Tables to use based on the Activity Life.

The grant recipient must choose an Activity Life of either 5 years (appendix D) or 7 years (appendix E). The selected table must match the activity life listed on [Line 5 on Form 4](#).

Step 2. Find the correct table based on the Equipment Type.

The tables are listed by equipment type. Find the table corresponding to the type of equipment. Note that you may not replace the old piece of equipment with a different type of equipment. The equipment category must match the type listed on [Form 6](#).

Step 3. Determine the Horsepower of the Equipment.

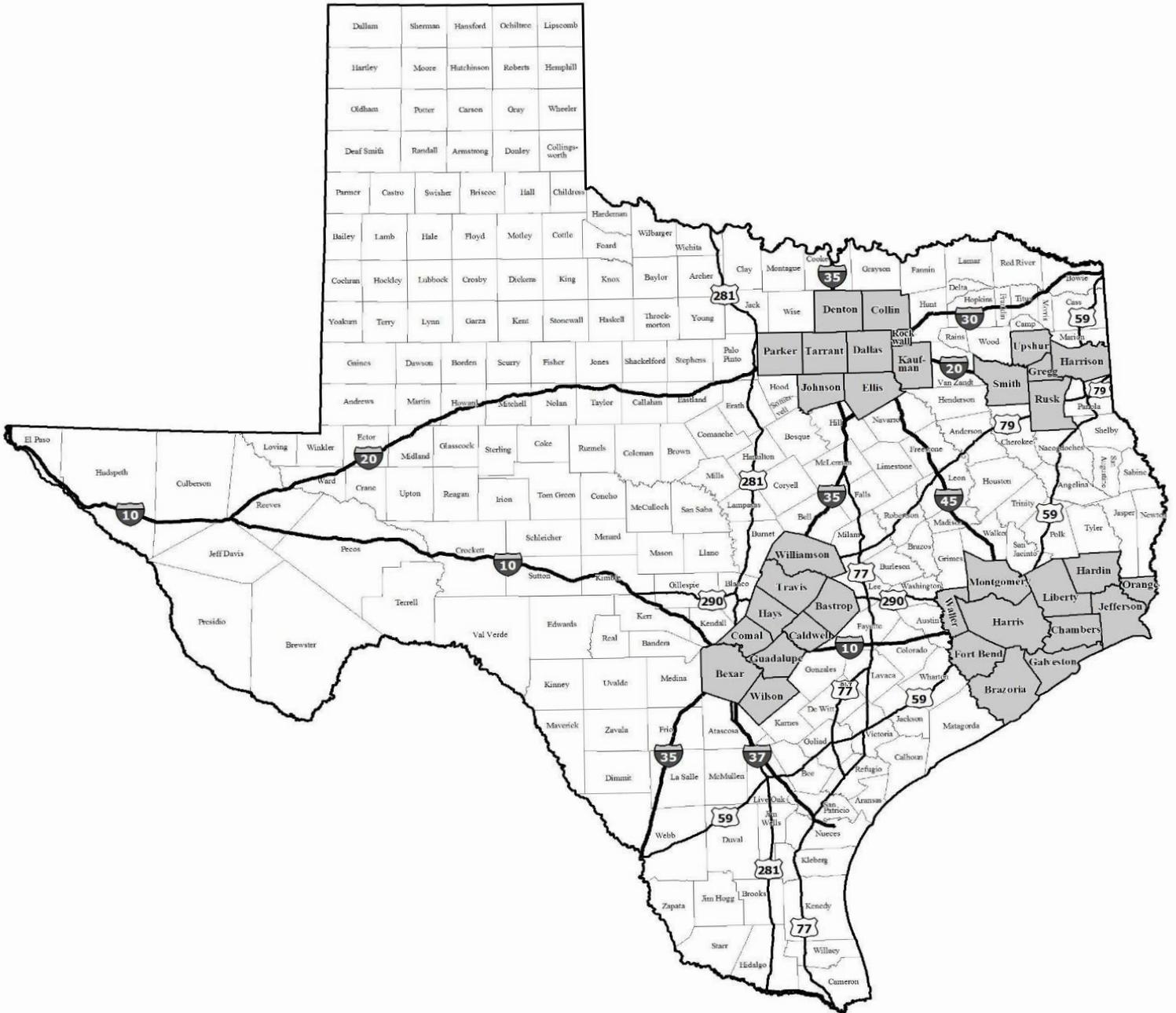
The tables are broken down by horsepower. You must know the horsepower of your current equipment engine and that of the replacement equipment engine. The horsepower should be the manufacturer's gross rated horsepower of that engine in that type of equipment.

Step 4. Use the certified engine emissions rate for both the old and replacement equipment.

Determine the certified engine emissions rate. Appendix B in the Notice of Rebate Grants provides a list of emissions standards and tier levels by year.

TERP-ARRA REBATE GRANT

MAP OF THE ELIGIBLE COUNTIES, INCLUDING THE DESIGNATED HIGHWAYS AND ROADWAYS



TCEQ USE ONLY
Application #

TCEQ USE ONLY
Contract #

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)
GRANT AGREEMENT FOR
TEXAS EMISSIONS REDUCTION PLAN (TERP)
TERP-ARRA REBATE GRANT

SIGNATURE PAGE

Legal Applicant Name (print/type):

Please note: The applicant must be the owner of the vehicle or equipment.

Grant Amount Requested (complete Form 8a or 8b to obtain amount):

Effective Date

Expiration Date

Contract Period (Effective Date to
Expiration Date)

The Effective Date of this Contract is the date on which the Contract is
signed by the last of the parties to sign.

February 28, 2011

The TCEQ and the named PERFORMING PARTY, an eligible applicant as defined in the Notice of Rebate Grants (NRG), enter this Agreement for the purpose of providing grant funds to implement a portion of the TERP-ARRA Rebate Grant Program.

The PERFORMING PARTY agrees that this is a reimbursement grant and if found to be eligible, the TCEQ will provide reimbursement for eligible costs. The PERFORMING PARTY also agrees to the commitment of the following:

- to use the grant-funded vehicle/equipment in the eligible counties marked in the application for a seven-year activity life for on-road activities and either a five or seven-year activity life (as selected in this application) for non-road activities;
- that no less than 75 percent of the annual hours of operation of non-road equipment will occur within the eligible counties marked in the application; and,
- that no less than the percentage of annual miles for on-road vehicles marked in the application will occur within the eligible counties also marked in the application, and no less than 75 percent of the annual miles will occur within the combination of the eligible counties and on the highways and roadways designated by the TCEQ; and,
- the vehicle, equipment, and/or engine being replaced will be properly disposed of in accordance with the contract.

If these criteria are not met, the PERFORMING PARTY may have to return some or all of the grant funds. The PERFORMING PARTY agrees that the proposed activity is not required by any state or federal law, rule or regulation, memorandum of agreement, or legally binding document.

PERFORMING PARTY: By signing on this page you agree that you have read and agree to all the Contract Documents in this Agreement including this Signature Page, General Terms and Conditions, Federal Conditions, and Contract Certifications of the application. The Contract Documents are available on the TERP website, www.terpgrants.org. Your signature on this page also means that you have read and understand all information provided in this application and that to the best of your knowledge and belief the information is true and correct. Failure to sign the application or signing it with a false statement may make the submitted offer or any resulting contracts voidable.

Please sign in BLUE ink

PERFORMING PARTY

By (Authorized Signature)

Printed Name (include Mr. or Ms.)

Title

Intentional falsification of these forms will be prosecuted to the extent allowed under the law and may be used as an adverse factor in future grant selection decisions.

Date of Signature (in ink)

Texas Commission on Environmental Quality (TCEQ)

By (Authorized Signature)

Printed Name

Joe Walton

Title

Manager, Implementation Grants Section

Date of Signature

Do NOT alter forms. Applications and accompanying Contract Documents with altered language will be void.
This form is only valid for the application period ending **April 30, 2010**, or later if that period is extended.

TCEQ Contact Information

Address: Texas Commission on Environmental Quality
Air Quality Division
Implementation Grants Section (ARRA-REBATES), MC-204
P.O. Box 13087
Austin, TX 78711-3087

Phone: 1-800-919-TERP (8377)
Fax: (512) 239-0077
Web: www.terpgrants.org
Email: TERP@tceq.state.tx.us

**TERP-ARRA REBATE GRANT
THIRD-PARTY PREPARER SIGNATURE PAGE**

This page is required in the application

Was this application prepared by a third party, including a consultant, dealer, or other person not employed by the applicant? Check either "yes" or "no" below.

Yes		No		
-----	--	----	--	--

If "yes" then the preparer must sign below. Please sign in BLUE ink.

I hereby certify that to the best of my knowledge and belief all information provided in this application and any attachments is true and correct, as represented to me by the applicant. I understand that failure to sign the application or signing it with a false statement may make the submitted offer or any resulting contracts voidable.

Must be original signature

Signature of Third-Party Preparer	
Printed Name (include Mr. or Ms.)	
Title	
Company Name	
Address	
Phone Number	

Intentional falsification of these forms will be prosecuted to the extent allowed under the law and may be used as an adverse factor in future grant approval decisions for applications involving the third-party preparer.

Date of Signature (in ink)	
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TERP-ARRA REBATE GRANT CONTRACT DOCUMENTS

This page is required in the application

By signing the Signature Page, I agree that the following documents comprise the entire Agreement between TCEQ and the PERFORMING PARTY (in order of precedence in the event of conflicts)

- TCEQ Grant Agreement, including the Signature Page, Third Party Preparer Signature Page, TERP General Certifications, ARRA Certification Forms 1, 2, 3, and 4, Application Forms 1, 2, 3, 4, 5, 6, 7a, 7b, 8a, 8b, 8c, 8d, 9, and 10.
- TERP-ARRA Rebate Grant Agreement, General Terms & Conditions.
- TERP-ARRA Federal Conditions.
- Notice of Rebate Grants (NRG)
- Guidelines for Emissions Reduction Incentive Grants (RG-388)
- The following, which may be delivered or issued after the Effective Date of the Agreement and are not attached here to: all other written documents amending, modifying or supplementing the Contract Documents pursuant to the Terms and Conditions.

All Contract Documents can be accessed at www.terpgrants.org or by calling 1-800-919-TERP (8377).

SIGNATURE PAGES

Below is a list of all the pages that require a signature. ALL forms must include original signatures in all signature blocks and should be signed in BLUE ink. No photocopies, faxes, scanned copies, or other copies of a required signatures will be accepted. If a signature page is missing or has been altered, the application will be denied.

- Signature Page • Third Party Preparer Page • TERP General Certifications
- ARRA Certification Forms 1, 2, 3, & 4 (see below)

Form 1: American Recovery and Reinvestment Act - Recipient Affidavit

Form 2: Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-
Lower Tier Covered Transactions

Form 3: Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility
Matters; and Drug-Free Workplace Requirements

Form 4: Subcontracting Provisions; Mandatory Flowdown Provision

- Form 10 (Vehicle/Equipment Certification)

TERP SUPPLEMENTAL FORMS

The supplemental forms must be submitted with all applications, however the forms will not be part of the contract document.

- Payee Identification Number Form
- Certification Regarding Child Support Obligations Form
- Survey Form (optional)

**TERP-ARRA REBATE GRANT
TERP GENERAL CERTIFICATIONS**

This form is required with the application

TERP General Certifications

This section serves to assure the TCEQ that you understand and agree to the statements. These provisions relate to the basic contract form which will be in force between the applicant and the TCEQ upon award of a grant. By signing this application, the applicant assures and certifies that:

- 1 Legal Authority.** It possesses legal authority in the State of Texas to apply for the grant and that the applicant's governing body has authorized the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the authorized official to act in connection with the application and to provide such additional information as may be required.
- 2 Uniform Grant Management Standards.** It will comply the Uniform Grant Management Standards (UGMS), adopted by the Texas Office of the Governor, in accordance with Chapter 783, Texas Government Code.
- 3 Procurement of Goods and Services.** In procuring goods and services, it will comply with Part II. Cost Principles for State and Local Governments and Other Affected Parties and Part III. State Uniform Administrative Requirements for Grants of the UGMS. All procurement transactions will be conducted in a manner providing full and open competition.
- 4 Historically Underutilized Businesses (HUBs).** Qualified HUBs, as defined and designated under state law, shall have the maximum practicable opportunity to participate in the performance of the work arising out of this project.
- 5 Conflict of Interest.** Applicant has not given, offered to give, nor intends to give at anytime hereafter, any economic opportunity, future employment, gift, loan gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted application.

Under Government Code § 2155.004, no person involved in the preparation of the Notice of Rebate Grants may have any financial interest in this application. If applicant is not eligible, then any contract resulting from this application shall be immediately terminated. Furthermore, under Section 2155.004, Government Code, the applicant certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate.

- 6 Nondiscrimination.** It will comply with all State and Federal statutes relating to nondiscrimination.
- 7 Grant Administration.** It will maintain an appropriate grant administration system to ensure that all terms, conditions, and specifications of the grant, including these certifications and assurances, are met.
- 8 Audit.** Pursuant to Section 2262.003 of the Texas Government Code, the state auditor may conduct an audit or investigation of the vendor or any other entity or person receiving funds from the state directly under this contract or indirectly through a subcontract under this contract. The acceptance of funds by the applicant or any other entity or person directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. Under the direction of the legislative audit committee, the applicant or other entity that is the subject of an audit or investigation by the state auditor must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit. Applicant will ensure that this clause concerning the authority to audit funds received indirectly by subcontractors through the vendor and the requirement to cooperate is included in any subcontract it awards.
- 9 Debt to the State.** It is not indebted to the state or have an outstanding tax delinquency. It further understands that the Texas Comptroller is precluded by law from paying a person who is indebted to the state or has a tax delinquency. The applicant must comply with all State and Federal tax laws and fee requirements and is solely responsible for filing all State and Federal tax and fee forms.
- 10 Grant Contract.** It understands that a copy of the grant contract shell is available from the TCEQ, including a copy posted on the TCEQ's web site at www.terpgrants.org. It further understands that the TCEQ will not normally change the contract language to deal with individual requests from grant recipients.

Continued on next page ►

**TERP-ARRA REBATE GRANT
TERP GENERAL CERTIFICATIONS (cont.)**

This form is required with the application

11 Contracting with an Executive of a State Agency. Under Government Code § 669.003, relating to contracting with an executive of a state agency, Applicant represents that no person who, in the past four years, served as an executive of the Texas Commission on Environmental Quality (TCEQ) or any other state agency, was involved with or has any interest in this Application. If Applicant employs or has used the services of a former executive head of TCEQ or other state agency, then Respondent shall provide the following information: Name of former executive, name of state agency, date of separation from state agency, position with Applicant, and date of employment with Applicant.

12 Debarment. Applicant certifies that the applying entity and its principals are eligible to participate in this transaction and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state or local governmental entity and that Respondent is in compliance with the State of Texas statutes and rules relating to procurement and that Respondent is not listed on the federal government's terrorism watch list as described in Executive Order 13224. Entities ineligible for federal procurement are listed at <http://www.epls.gov>.

13 Hurricane Katrina and Other Natural Disasters. Under Section 2155.006(b) of the Texas Government Code, a state agency may not accept a bid or award a contract, including a contract for which purchasing authority is delegated to a state agency, that includes proposed financial participation by a person who, during the five-year period preceding the date of the bid or award, has been: (1) convicted of violating a federal law in connection with a contract awarded by the federal government for relief, recovery, or reconstruction efforts as a result of Hurricane Rita, as defined by Section 39.459, Utilities Code, Hurricane Katrina, or any other disaster occurring after September 24, 2005; or (2) assessed a penalty in a federal civil or administrative enforcement action in connection with a contract awarded by the federal government for relief, recovery, or reconstruction efforts as a result of Hurricane Rita, as defined by Section 39.459, Utilities Code, Hurricane Katrina, or any other disaster occurring after September 24, 2005.

Under Section 2155.006 of the Texas Government Code, the bidder certifies that the individual or business entity named in this Application is not ineligible to receive the specified contract and acknowledges that any contract resulting from this IFB may be terminated and payment withheld if this certification is inaccurate.

Name of Applicant
(Name as it appears on signature page)

Date

Authorized Official Signature
(Person signing application)

Print Name
(Authorized Official printed name)

**TERP-ARRA REBATE GRANT
AMERICAN RECOVERY AND REINVESTMENT ACT - RECIPIENT CERTIFICATION
ARRA CERTIFICATIONS Form 1**

This Certification must be signed and returned with the application

I, _____ a representative of: _____
a [person, sole proprietorship, partnership, corporation, limited liability company, nonprofit organization, governmental entity, political subdivision, or other entity] (**circle one**) that is receiving American Recovery and Reinvestment Act of 2009 (ARRA or the Act) funding, hereby certify that, to the best of my knowledge, internal controls, processes and procedures have been designed and implemented to help ensure that the recipient and its use of these funds complies with the following: applicable state law; federal law, including federal reporting requirements under Section 1512 of the Act, if applicable; rules; regulations; and other relevant guidance. I further certify that all of the statements made and information provided herein, including statements made and information provided in any attachments are true, complete, and correct, to the best of my knowledge.

I understand that I am receiving ARRA funding from the Texas Commission on Environmental Quality, an agency of the State of Texas.

I understand that non-compliance with reporting requirements could be treated as a violation of the award agreement resulting in the withholding of funds, debarment, or award termination or suspension, as appropriate.

I understand that it is a federal crime under 18 U.S.C. Section 1001 to, in any matter within the jurisdiction of the executive branch of the U.S. Government, knowingly and willfully make any materially false, fictitious, or fraudulent statement or representation, or to make or use any false writing or document knowing that it contains the same.

I understand that presenting a false or fraudulent claim, in whole or in part, or causing same, may subject me to civil penalties as provided for in 31 U.S.C. Section 3729.

I understand that it is a felony offense under Section 37.10, Texas Penal Code, to knowingly make a false entry in, or false alteration of, a governmental record, or to make, present, or use a governmental record with knowledge of its falsity, when the actor has the intent to harm or defraud another.

I understand that the offense of perjury, under Section 37.02, Texas Penal Code, is committed when a person, with intent to deceive and with knowledge of the statement's meaning, makes a false statement under oath or swears to the truth of a false statement previously made and the statement is required or authorized by law to be made under oath.

I understand my obligation to track all ARRA funds and that ARRA funds cannot be comingled with Non-ARRA funds. I also understand my obligation to immediately report any known or suspected waste, fraud, and abuse of funds received under the Act to the United States Government Accountability Office at (800) 424-5454 and the Texas State Auditor's Office at (800) 892-8348. I further understand that I will require all sub-recipients with whom I contract using funds made available under the Act to sign a similar affidavit swearing to all of the above. I hereby swear and affirm that I have read the entire affidavit, and I understand its contents.

Name of Applicant
(Name as it appears on signature page)

Date

Authorized Official Signature
(Person signing application)

Printed Name
(Authorized Official printed name)

**TERP-ARRA REBATE GRANT
CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY,
AND VOLUNTARY EXCLUSION LOWER TIER COVERED TRANSACTIONS
ARRA CERTIFICATIONS FORM 2**

This Certification must be signed and returned with the application

Instructions for Certification

1. The prospective lower tier participant is required to sign the attached certification.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this application is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principle," "application," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the person to which this application is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this application that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non-procurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
 - (1) The prospective lower tier participant certifies, by submission of this application, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
 - (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this application.

Name of Applicant

(Name as it appears on signature page)

Date

Authorized Official Signature

(Person signing application)

Print Name

(Authorized Official printed name)

**TERP-ARRA REBATE GRANT
CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION
AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS
ARRA CERTIFICATIONS FORM: 3**

This Certification must be returned with the application

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when TCEQ determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Continued on next page ►

**TERP-ARRA REBATE GRANT
 CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION
 AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS
 ARRA CERTIFICATIONS FORM 3 (part 2 continued)
 This Certification must be and returned with the application**

3. DRUG-FREE WORKPLACE

This certification is required by the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D) and is implemented through additions to the Debarment and Suspension regulations, published in the Federal Register on January 31, 1989, and May 25, 1990.

ALTERNATE 1 (GRANTEES OTHER THAN INDIVIDUALS)

(1) The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees

(b) Establishing an ongoing drug-free awareness program to inform employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing, of his or her conviction for a violation of criminal drug statute occurring in the work-place not later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to energy grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

- (1) Taking appropriate actions against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act 9f 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

(2) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance					
Name	Street	City	County	State	Zip

check if there are workplaces of file that are not identified here.

Continued on next page ►

**TERP-ARRA REBATE GRANT
CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION
AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS
ARRA CERTIFICATIONS FORM 3 (part 3 continued)**

This Certification must be signed and returned with the application

ALTERNATE 2 (GRANTEES WHO ARE INDIVIDUALS)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (1) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substances in conducting any activity with the grant.
- (2) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

4. LOBBYING DISCLOSURE ACT OF 1995, SIMPSON-CRAIG AMENDMENT

Applicant organizations which are described in section 501 (c)(4) of the Internal Revenue Code of 1986 and engage in lobbying activities after December 31, 1995, shall not be eligible for the receipt of Federal funds constituting an award, grant, or loan. Section 501(c)(4) of the Internal Revenue Code of 1986 covers:

Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated persons or person in a particular municipality, and the net earning of which are devoted exclusively to charitable, educational, or recreational purposes.

As set forth in the Lobbying Disclosure Act of 1995 (Public Law 104-65, December 19, 1995), as amended ["Simpson-Craig Amendment," see Section 129 of The Balanced Budget Downpayment Act, I (Public Law 104-99, January 26, 1996)], lobbying activities is defined broadly. (See section 3 of the Act.)

The undersigned certifies, to the best of his or her knowledge and belief, that: it IS NOT an organization described in section 501 (c)(4) of the Internal Revenue Code of 1986: OR that it IS an organization described in section 501 (c)(4) of the Internal Revenue Code of 1986, which, after December 31, 1995, HAS NOT engaged in any lobbying activities as defined in the Lobbying Disclosure Act of 1995, as amended.

As the duly authorized representative of the Applicant, I hereby certify that the Applicant will comply with the above certifications.

Name of Applicant
(Name as it appears on signature page)

Date

Authorized Official Signature
(Person signing application)

Print Name
(Authorized Official printed name)

**TERP-ARRA REBATE GRANT
CERTIFICATION REGARDING SUBCONTRACTING PROVISIONS;
MANDATORY FLOWDOWN PROVISION
ARRA CERTIFICATIONS Form 4**

This Certification must be signed and returned with the application

Grantee, if subcontracting any of its performance hereunder, shall legally bind subgrantees to perform and make such subgrantees subject to all the duties, requirements, and obligations of Grantee under this Agreement. Grantee shall be jointly and severally liable for all performances under this Agreement, including, but not limited to, the performance of its subgrantees to the extent permitted under the Constitution and laws of the State of Texas, as well as full compliance with all reporting requirements set forth in the Agreement.

Grantee represents and warrants that it has obtained all necessary permits, licenses, easements, waivers and permissions of whatsoever kind required for its performance and the performance of its subgrantees under this Agreement. In no event shall any provision of this Paragraph, including, but not limited to, the requirement that Grantee obtain the prior approval of Agency on Grantee's proposed subcontracts, be construed as relieving Grantee of the responsibility for ensuring that all services rendered under any subcontracts comply with all the terms and provisions of this Agreement as if they were rendered by Grantee.

Grantee shall, upon request, furnish Agency with copies of all proposed subcontracts and all proposed amendments, assignments, cancellations or terminations of said subcontracts no later than thirty (30) days prior to the proposed effective date of such contracts, amendments, assignments, cancellations, or terminations; provided, however, that this thirty (30) day period may be shortened by written agreement of the parties. Upon request from the Comptroller, Grantee shall provide any and all documentation deemed necessary by the Comptroller to evidence Subcontractors compliance with all terms, conditions and performance pertaining to the Agreement and all applicable law.

As the duly authorized representative of the Grantee, I hereby certify that Grantee will comply with the above requirements.

Name of Applicant
(Name as it appears on signature page)

Date

Authorized Official Signature
(Person signing application)

Print Name
(Authorized Official printed name)

**TERP-ARRA REBATE GRANT
FORM 1: CONTACT INFORMATION**

1. Authorized Official The person signing this application.

Name: (Mr. or Ms.) _____ **Title:** _____

Mailing Address: _____
Street Address City State Zip

Physical Address: _____
(for express delivery) Street Address City State Zip

Contact Phone #s: _____ **Fax:** _____

E-mail Address: _____ **Cell Phone #:** _____

2. Designated Project Representative The applicant or an employee of the applicant who will serve as the grant contact and will be responsible for receiving and submitting grant documents, including annual usage reports. This person may not be a consultant or dealer.

Same as Authorized Official

Name: (Mr. or Ms.) _____ **Title:** _____

Mailing Address: _____
Street Address City State Zip

Physical Address: _____
(for express delivery) Street Address City State Zip

Contact Phone #s: _____ **Fax:** _____

E-mail Address: _____ **Cell Phone #:** _____

3. Financial Officer (if applicable)

Same as Authorized Official

Name: (Mr. or Ms.) _____ **Title:** _____

Mailing Address: _____
Street Address City State Zip

Physical Address: _____
(for express delivery) Street Address City State Zip

Contact Phone #s: _____ **Fax:** _____

E-mail Address: _____ **Cell Phone #:** _____

4. Designated Location for Records Access and Review by the TCEQ or its Representative

Same as Authorized Official

Physical Address: _____
Street Address City State Zip

**TERP-ARRA REBATE GRANT
FORM 2: GENERAL INFORMATION**

1. Describe Applicant's Primary Business Type: (i.e. transit system, gravel hauling, excavation, school, etc.)

2. Date Business Founded/Started:

Attach any materials (ex: brochure, website address) that provide general information about your business

3. Do you plan to assign your grant payments to a third party "Assignee":

	YES		NO
--	-----	--	----

List the address that you wish to have the grant payments mailed to.

Mailing Address for Payments: Include individual or entity name, address, city, state, and zip code.

(Name) *(Address)* *(City)* *(State)* *(Zip)*

4. Small Business: Applications from qualified Small Businesses may receive special consideration under this program. To qualify, you must meet the following definition:

1. Owns and operates not more than two vehicles or pieces of equipment, at least one of which is;
 - a) an on-road diesel heavy-duty vehicle with a pre-1994 engine model; or
 - b) an non-road diesel-powered piece of equipment with an engine with uncontrolled emissions.

2. Must have owned the vehicle/equipment for 1 year for repower projects or 2 years for replacement projects.

Do you qualify as a "small business": _____ **YES** _____ **NO**

**TERP-ARRA REBATE GRANT
FORM 3: DISPOSITION**

REPLACEMENT ONLY: DISPOSITION OF VEHICLE/ENGINE BEING REPLACED

 A. The old vehicle and engine must be scrapped (destroyed).

The applicant agrees to destroy and render permanently inoperable the old vehicle, including the engine **within 90 days of receiving financial reimbursement**. The applicant also agrees that TCEQ may inspect and otherwise verify the condition of the engine being replaced. If the applicant does not allow such verification, the TCEQ is not obligated to select the application for funding.

Destruction includes drilling a 3" hole or larger in the engine block (or otherwise destroying it) and cutting the frame rails in a wedge at least 75% of the way through (or perform other structural damage to the equipment) rendering it inoperable. Provide information regarding the scrapping activities and, if known, identify (name, address, and phone #) the company that will scrap the equipment.

REPOWER ONLY: DISPOSITION OF ENGINE BEING REPLACED

The applicant agrees to destroy and render permanently inoperable the old engine **within 90 days of receiving financial reimbursement**. The applicant also agrees that TCEQ may inspect and otherwise verify the condition of the engine being replaced. If the applicant does not allow such verification, the TCEQ is not obligated to select the application for funding.

 A. Old engine will be scrapped (destroyed).

Destruction includes drilling a 3" hole in or otherwise destroying the engine block. Provide information regarding the scrapping activities and, if known, identify (name, address, and phone #) the company that will scrap the equipment.

 B. Old engine will be sent to a remanufacturing facility.

The facility will be operated by or authorized by the original engine manufacturer to remanufacture the engine. The process will include removing all parts and using the old block to build a remanufactured engine with a new serial number.

 C. Not applicable, this is a verified low-NO_x emissions upgrade that is considered a repower.

Please provide any additional information for the selected disposition option:

Please note: If a grant is awarded, the applicant will be required to submit the following information with the final disposition of the vehicle/engine: to submit the following information with the final disposition of the vehicle/engine:

- Photographs depicting the vehicle/engine BEFORE and AFTER destroying/rendering it inoperable.
- Photographs must show the vehicle and engine identification numbers, and they must be clearly visible and readable.
- A photograph of the state inspection sticker for on-highway vehicles.

**TERP-ARRA REBATE GRANT
FORM 4: ACTIVITY INFORMATION**

1. Will the vehicle/equipment be used for commercial rental to other entities?

YES NO

2. Was this activity included in a previous application to TCEQ?

YES, *explain:* _____

NO

Activities that were previously awarded a TERP grant and canceled by the grant recipient after opening of the grant application period are not eligible to receive funding.

3. Has the purchase or repower already been completed?

YES Date of purchase or repower: _____

NO *If no, recipient has until the contract Expiration Date to make the purchase.*

For replacement projects, the purchase may not have been made prior to the opening date of this application period. For repower projects, the costs may not have been incurred prior to October 1, 2009.

4. Activity Type: (select one of the options)

(attach Forms 5, 6, 7a, 8a, 9, & 10)

(attach Forms 5, 6, 7b, 8b, 8c, 8d, 9, & 10)

REPOWER: ON-ROAD VEHICLE

REPLACEMENT: ON-ROAD EQUIPMENT

REPOWER: NON-ROAD EQUIPMENT

REPLACEMENT: NON-ROAD EQUIPMENT

Note: Subject to approval by TCEQ, a non-road engine emissions upgrade system verified by the EPA or CARB to result in a reduction in NO_x emissions of at least 25% may be considered a repower and should be applied for under that category.

5. Activity Life: The number of years you commit to using the vehicle/equipment in the eligible counties, and to monitor and report usage to the TCEQ.

Select One:

On-Road: 7 Years Non-Road: 5 years OR 7 years

Be sure to use the appropriate Non-Road Rebate Table Amount when completing Forms 8a or 8b

6. Certification of Use:

This section must be completed even if odometer/hour meter is broken.

Is the odometer/hour meter working (Y/N): _____

ON-ROAD VEHICLE

NON-ROAD EQUIPMENT

Current Mileage: _____ OR Total hours on log/meter _____

The average annual mileage/operating hours of the vehicle/equipment being replace over the preceding 2 years was:

Miles Per Year: _____ OR Hours Per Year: _____

The new equipment is expected to be operated:

Miles Per Year: _____ OR Hours Per Year: _____

7. Usage Description: Please describe what your typical driving route or site location will be **if awarded a grant**. **Be specific** (i.e. on-road vehicles: daily, weekly or monthly trips; cities traveled to and between; and highways/roadways traveled on **OR** non-road vehicles/equipment: sites and locations of operation).

**TERP-ARRA REBATE GRANT
FORM 5: ANNUAL USAGE INFORMATION**

Reference the map in the instructions to assist with the completion of this section.

1. ON-ROAD USAGE ONLY:

The applicant must designate the percentage of the annual mileage that will occur in the eligible counties, which may not be less than 25 percent of the annual mileage. In addition to the percentage of annual miles in the eligible counties committed to by the applicant, the applicant must also commit to operating the vehicle at least 75 percent of the annual miles in a combination of the eligible counties and on one or more of the designated highways or roadways.

A. % OF ANNUAL USAGE SPENT OPERATING IN THE ELIGIBLE AREAS

Please note: This section may not equal 100% if travel is done in a county not listed below or if traveling between two areas not connected to each other. The total of section A will be used to determine which Rebate Table to use (see table instructions).

San Antonio (SAT) (Comal, Guadalupe, Wilson, Bexar)	%
Austin (AUS) (Williamson, Travis, Bastrop, Caldwell, Hays)	%
Dallas - Fort Worth Area (DFW) (Denton, Collin, Tarrant, Dallas, Rockwall, Kaufman, Ellis, Johnson, Parker)	%
Tyler-Longview (TYL) (Upshur, Gregg, Rusk, Smith, Harrison)	%
Houston-Galveston-Brazoria Area (HGB) (Brazoria, Fort Bend, Waller, Montgomery, Liberty, Chambers, Galveston, Harris)	%
Beaumont-Port Arthur Area (BPA) (Hardin, Orange, Jefferson)	%
1A - TOTAL	%

B. % OF ANNUAL USAGE SPENT ON HIGHWAYS BETWEEN THE ELIGIBLE AREAS

Please note: Only list the percentage of annual mileage on the designated highways or roadways when traveling outside/between the eligible areas listed above.

I-10 from the Texas/New Mexico border to the Texas/Louisiana border	
I-20 from I-10 to the Texas/Louisiana border	
I-30 from Rockwall County to the Texas/Arkansas border	
I-35 from the Texas/Mexico border to the Texas/Oklahoma border	
I-37 from the Gulf of Mexico to Bexar County	
I-45 from Montgomery County to Ellis County	
Hwy 59 from the Texas/Mexico border to the Texas/Arkansas border	
Hwy 79 from Williamson County to the Texas/Louisiana border	
Hwy 281 from the Texas/Mexico border to the Texas/Oklahoma border	
Hwy 77 from the Texas/Mexico border to Ellis County	
Hwy 290 from I-10 to Waller County	
1B - TOTAL	%

The total of both sections may not equal 100% if any travel occurs in a county or on a highway/roadway not listed above.

2. NON-ROAD USAGE ONLY:

The applicant must commit to use the equipment at least 75 percent of the annual hours of operation in the eligible counties that the applicant designates in the application. The total may not equal 100 percent if any operation occurs outside of the eligible counties.

A. % OF ANNUAL USAGE SPENT OPERATING IN THE ELIGIBLE AREAS

San Antonio (SAT) (Comal, Guadalupe, Wilson, Bexar)	%
Austin (AUS) (Williamson, Travis, Bastrop, Caldwell, Hays)	%
Dallas - Fort Worth Area (DFW) (Denton, Collin, Tarrant, Dallas, Rockwall, Kaufman, Ellis, Johnson, Parker)	%
Tyler-Longview (TYL) (Upshur, Gregg, Rusk, Smith, Harrison)	%
Houston-Galveston-Brazoria Area (HGB) (Brazoria, Fort Bend, Waller, Montgomery, Liberty, Chambers, Galveston, Harris)	%
Beaumont-Port Arthur Area (BPA) (Hardin, Orange, Jefferson)	%
2A - TOTAL	%

**TERP-ARRA REBATE GRANT
FORM 6: VEHICLE / EQUIPMENT INFORMATION**

On-Road Vehicles: Please indicate the type of vehicle and the gross vehicle weight rating (GVWR) below:

The weight listed for the vehicle may not exceed the maximum weight allowed by the Texas Department of Transportation (TxDOT), as listed on the Permissible Weight Table. In general, the maximum weight listed for the vehicle may not exceed 20,000 pounds (lb.) per axle.

The gross combined weight (GCW) of the vehicle and trailer may be used for haul trucks or similar trucks that permanently operate in combination with a trailer and dump trucks that permanently pull a pup trailer. Equipment trailers pulled by a dump truck are not considered pup trailers. Check with the TCEQ if you are not sure whether your vehicle and trailer combination meet these conditions.

The TCEQ may, at its discretion, accept a weight over 20,000 lb. per axle for vehicles operating under an annual *over gross weight tolerance permit* or other annual specialty permit issued by TxDOT for certain uses. **You must provide a copy of the annual permit and/or other documentation of permanent operation in the higher weight category.** Registration of the vehicle at a higher weight and/or a temporary overweight permit will not be sufficient documentation that the vehicle is permanently operated at the higher weight.

GVWR: Greater than 60,000 pounds

- Haul Truck (*Tractor trailer & end-dump trucks.*)
- Dump Truck with Pup Trailer (*Must pull pup trailer 100% of the time. Attach pup trailer registration.*)
- Dump Truck (*4 or more axles and registered for over 60,000 lbs.*)
- Cement Mixer Truck
- Other, please list: _____ GVWR: _____

GVWR: 33,001 - 60,000 pounds

- Dump Truck (regular tandem axle)
- Cement Mixer Truck
- Vacuum Truck
- Water Truck
- Tow Truck
- Other, please list: _____ GVWR: _____

GVWR: 26,001 - 33,000 pounds

- Other, please list: _____ GVWR: _____

GVWR: 19,501 - 26,000 pounds

- Other, please list: _____ GVWR: _____

GVWR: 16,001 - 19,500 pounds

- Other, please list: _____ GVWR: _____

GVWR: 14,001 - 16,000 pounds

- Other, please list: _____ GVWR: _____

GVWR: 10,001 - 14,000 pounds

- Other, please list: _____ GVWR: _____

GVWR: 8,501 - 10,000 pounds

- Other, please list: _____ GVWR: _____

Non-Road Equipment: Please indicate the type of equipment below:

- | | |
|---|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> Excavator <input type="checkbox"/> Crane <input type="checkbox"/> Grader <input type="checkbox"/> Off-Highway Truck <input type="checkbox"/> Crushing-Processing Equipment <input type="checkbox"/> Rough Terrain Forklift <input type="checkbox"/> Rubber Tire Loader <input type="checkbox"/> Rubber Tire Dozer | <ul style="list-style-type: none"> <input type="checkbox"/> Tractor/Backhoe/Loader <input type="checkbox"/> Crawler Tractor <input type="checkbox"/> Skid Steer Loader <input type="checkbox"/> Off-Highway Tractor <input type="checkbox"/> Forklift <input type="checkbox"/> Agricultural Tractor <input type="checkbox"/> Combine <input type="checkbox"/> Terminal Tractor |
|---|--|

**TERP-ARRA REBATE GRANT
FORM 7a: VEHICLE / EQUIPMENT INFORMATION**

REPOWER ONLY

Repower projects may not have been incurred prior to October 1, 2009

Vehicle/Equipment Information	Vehicle/Equipment Being Repowered	
a. Vehicle/Equipment Description (i.e., haul truck, excavator, etc.)		
b. Vehicle/ Equipment Make		
c. Model/Model Number		
d. Identification Number (VIN or serial #)		
e. Model Year		
f. Gross Vehicle Weight Rating (on-road only) - should not exceed 20,000 lbs per axle		
	New Engine	Engine Being Replaced
g. Fuel type <i>Non-road engines must be diesel only. Replacement on-road engines may be powered by diesel, natural gas, or propane.</i>	<i>List Fuel Source</i>	Diesel
h. Engine horsepower rating (non-road only)		
i. Engine Make		
j. Engine Model		
k. Engine Identification Number	<i>(if known)</i>	
l. Engine Manufacture Year		
m. Engine Emissions Model Year* <i>(complete for non-road repowers, if the emissions model year is different from the manufacture year)</i>		
PROVIDE AT LEAST ONE KNOWN FACTOR BELOW. ONE <u>MUST</u> BE COMPLETED FOR THE APPLICATION TO BE ELIGIBLE.		
n. Engine Family Code (12-digit emissions code)		
o. Certified NO_x Emissions (g/bhp-hr)		
p. Certified NO_x Emissions Tier (non-road only)		
<p>*The Engine Emissions Model Year is the year corresponding to the Federal NO_x emissions standard to which that engine is certified. In most cases, it is the same as the engine manufacture year. However, some manufacturers have new non-road engines specifically for repower projects that are certified to the Federal NO_x emissions standard for an earlier year. You must list the year that corresponds to the applicable NO_x emissions standard for that engine. Be sure to check with your dealer or installer to confirm the emissions of the new engine. The engine emissions can be verified by checking either the engine family code (listed on the emissions label affixed to the engine); the certified NO_x emissions (normally listed in grams per brake horsepower-hour -- g/bhp); or for non-road engines, the certified NO_x emissions Tier (the Tier levels correspond to the federal NO_x emissions standards). Use the certified emissions rate to determine the rebate grant amount from the rebate grant tables.</p>		
<p>Subject to approval of the TCEQ, a non-road engine emissions upgrade rebuild system verified by the EPA or CARB to result in a reduction in NO_x emissions of at least 25 percent may be considered a repower. The upgrade system must be installed in accordance with the specifications of the EPA or CARB verification and in accordance with the system manufacturer's requirements. A label or other identification markings must be affixed to the upgraded engine signifying that the kit has been installed and indicating the emissions rate or percentage reduction in emissions from the original baseline engine to which the upgraded engine is now verified.</p>		
<p>Is this an upgrade system? Y / N _____</p> <p>Provide manufacturer name: _____</p>		

ALL INFORMATION MUST BE COMPLETE TO BE ELIGIBLE

TERP-ARRA REBATE GRANT
FORM 7b: VEHICLE / EQUIPMENT INFORMATION
REPLACEMENT ONLY

Vehicle/Equipment Information	New Vehicle/Equipment	Vehicle/Equipment Being Replaced
a. Vehicle/Equipment Description (i.e., haul truck, dump truck, excavator, etc.)		
<i>The replacement vehicle or equipment must be of the same type and use as the vehicle or equipment being replaced.</i>		
b. Fuel type <i>Non-road engines must be diesel only. Replacement on-road engines may be powered by diesel, natural gas, or propane.</i>	<i>List Fuel Source</i>	Diesel
c. Vehicle/Equipment Make		
d. Vehicle/Equipment Model/Model Number		
e. Identification Number (VIN or serial #)	<i>(if known)</i>	
f. Vehicle Model Year		
g. Engine Horsepower Rating (hp)		
<i>For non-road projects: the hp of the replacement equipment must be in the same or a lesser hp category as the equipment being replaced.</i>		
h. Gross Vehicle Weight Rating (Should not exceed 20,000 lbs. per axle)		
<i>For on-road projects the replacement vehicle must be in the same weight category as the vehicle being replaced.</i>		
i. Engine Make		
j. Engine Model		
k. Engine Identification Number	<i>(if known)</i>	
l. Engine Manufacture Year		
PROVIDE AT LEAST ONE KNOWN FACTOR BELOW. ONE <u>MUST</u> BE COMPLETED FOR THE APPLICATION TO BE ELIGIBLE.		
m. Engine Family Code (12-digit emissions code)		
n. Certified NO_x Emissions (g/bhp-hr)		
o. Certified NO_x Emissions Tier (non-road only)		
<p>Confirm the NO_x emission rate for the old and new engine. In most cases, the emission rate for the old engine corresponds to the engine manufacture year. Be sure to check with your dealer to confirm the emissions of the new engine. The engine emissions can be verified by either looking up the <i>engine family code</i> (listed on the emissions label affixed to the engine); or when available finding the <i>certified NO_x emissions on the label</i> (normally listed in grams per brake horsepower-hour -- g/bhp-hr). For non-road engines you can use, the <i>certified NO_x emissions Tier</i> (the Tier levels correspond to the federal NO_x emissions standards). Use the certified emissions rate to determine the rebate grant amount from the rebate grant tables.</p>		
<p>The make, model, and manufacture year of the vehicle, equipment, and/or engine that you purchase may differ from the information originally listed in the application. However, in all cases, the engine purchased must be certified to the federal NO_x emissions standard within the same or a lower emission range from the rebate grant tables. Also, for non-road equipment, the engine must be of the same horsepower range as the one listed on the application, and for on-road vehicles, the vehicle must be of the same weight category as the one listed on the application. Finally, you may not substitute the vehicle, equipment, and/or engine that you are replacing with a different unit.</p>		

ALL INFORMATION MUST BE COMPLETE TO BE ELIGIBLE

**TERP-ARRA REBATE GRANT
FORM 8a: VEHICLE / EQUIPMENT COST**

REPOWER ONLY

Applicants must request the lesser dollar amount of either the amount provided in the Maximum Rebate Grant Amount Tables or from the Incremental Cost Calculation. Financial reimbursements will be made on either the provided table amount or the actual amount spent on incremental costs, *whichever amount is less*. Documentation will be required for all incremental costs at the time of reimbursement, in accordance with the General Terms and Conditions.

1. REBATE GRANT AMOUNT FROM TABLE (refer to the instructions)	
--	--

2. INCREMENTAL COST / COST TO APPLICANT (A+B-C-D = E)	
--	--

Refer to the Notice of Rebate Grants for a full list of eligible and ineligible expenses.

All cost estimates, quotes, and bids, as well as the final invoices, should be itemized, at least to the level of detail explained below. If the purchases and work are already completed, attach a copy of the itemized invoice or sales receipt.

A. Capital Cost - Equipment & Installation:

1. ENGINE: Invoice cost of new engine, including taxes, duty, protective in-transit insurance, and freight charges.

(+ ADD)

2. ADDITIONAL EQUIPMENT: Invoice cost of additional equipment with a per unit acquisition cost of \$5,000 or more and is necessary for the completion of the repower.

(+ ADD)

3. INSTALLATION: Installation costs, including the cost to remove and dispose of the old engine, if needed. Installation costs may include costs to re-engineer the vehicle for the new engine to fit. Technical design, testing, and other engineering services required as part of the installation work should also be listed under this subcategory.

(+ ADD)

4. SUPPLIES: Invoice cost of equipment and materials not included as part of the engine with an acquisition cost of less than \$5,000 that are necessary for the repower.

B. Other - Global Positioning System (GPS): - Purchase & Installation are optional

The cost to purchase and install a GPS to track and log the location and use of the vehicle. Ongoing operational and maintenance charges may not be included. The GPS unit must be purchased from the vendor authorized and contracted with the TCEQ. *(See the Information page for details.)*

(+ ADD)

(- SUBTRACT)

C. Scrappage value or dollar amount expected to be received for the old engine:

D. List the value of and explain any other financial assistance to be used for the purchase or lease, such as tax credits or deduction, other grants, or any public financial assistance.

(- SUBTRACT)

This does not include the amount you finance through a bank or other third-party to purchase the equipment.

E. INCREMENTAL COST / COST TO THE APPLICANT (A+B-C-D = E)	
--	--

3. LOOK AT BOX 1 AND BOX 2E (ABOVE). WHICH ONE IS LESS? LIST THE LESSER AMOUNT OF BOX 1 OR 2E ON THE SIGNATURE PAGE. THIS WILL BE THE REBATE GRANT AMOUNT REQUESTED
--

4. CERTIFICATION OF OWNERSHIP

By signing the application Signature Page, the applicant certifies that the applicant is the current owner of the vehicle or equipment being repowered. Ownership does not include leases.

**TERP-ARRA REBATE GRANT
FORM 8b: VEHICLE / EQUIPMENT COST**

REPLACEMENT ONLY

Applicants must request the lesser dollar amount of either the amount provided in the Maximum Rebate Grant Amount Tables or from the Incremental Cost Calculation. Financial reimbursements will be made on either the provided table amount or the actual amount spent on incremental costs, *whichever amount is less*. Documentation will be required for all incremental costs at the time of reimbursement, in accordance with the Terms and Conditions.

1. REBATE GRANT AMOUNT FROM TABLE (refer to the instructions)	
2. INCREMENTAL COST / COST TO APPLICANT (A + B - C - D = E and E x .80 = F)	
Refer to the Notice of Rebate Grants for a full list of eligible and ineligible expenses.	
A. Capital Cost - Equipment/Vehicle Purchase: Invoice cost or cash basis for the lease costs of the vehicle or equipment, including taxes, duty, protective in transit insurance, and freight charges. Do not include the cost of non-permanent optional attachments, not directly related to the primary function of the vehicle or equipment.	<input style="width:100%; height:20px;" type="text"/>
B. Other - Global Positioning System (GPS): - Purchase & Installation are optional The cost to purchase and install a GPS to track and log the location and use of the vehicle. Ongoing operational and maintenance charges may not be included. The GPS unit must be purchased from the vendor authorized and contracted with the TCEQ. (See the Information page for details.)	(+ADD) <input style="width:100%; height:20px;" type="text"/>
C. Scrappage value: (TCEQ will use a default scrap value of \$1,000)	(- SUBTRACT) \$ (1,000.00)
D. List the value of and explain any other financial assistance to be used for the purchase or lease such as tax credits or deductions, other grants or any public financial assistance. <i>This does not include the amount you finance through a bank or other third-party to purchase the equipment.</i>	(- SUBTRACT) <input style="width:100%; height:20px;" type="text"/>
E. Incremental Cost / Cost to Applicant (A+B-C-D= E)	<input style="width:100%; height:20px;" type="text"/>
<i>multiply Box "E" by .80 to get the eligible project costs for Box "F"</i>	(x .80)
F. ELIGIBLE PROJECT COSTS May not exceed 80% of the applicant's cost [.80 x incremental cost (E)]	<input style="width:100%; height:20px;" type="text"/>

3. LOOK AT BOX 1 AND BOX 2F (ABOVE). WHICH ONE IS LESS? LIST THE LESSER AMOUNT OF BOX 1 OR 2F ON THE SIGNATURE PAGE. THIS WILL BE THE REBATE GRANT AMOUNT REQUESTED.

4. DEALER CONTACT INFORMATION (if known)			
Company	Contact Person	Phone #	
Address	City	State	Zip

5. FINANCING OR LEASE TERMS FOR REPLACEMENT VEHICLE
Reimbursement will not be authorized for pre-payment of future periodic financing or lease payments. A grant recipient will need to either ensure that sufficient payments will be made prior to the end of the grant term to use the grant amount or structure the financing or lease agreement to allow for an up-front payment in return for lower periodic payments. CHOOSE ONE.
Purchase:
_____ Cash Purchase
_____ Regular Financing
_____ Capital Lease Financing (equipment will be purchased and retained at the end of the lease). This option is limited to capital lease agreements with a binding commitment for the applicant to take ownership of the equipment. An option to buy at the end of the lease term, without this binding commitment, will not be considered under this option.
Lease:
_____ Equipment will be returned at the end of the lease. The lease must extend for at least the Activity Life.
Explain financing or lease terms, including the length (months) of the lease or financing, below

TERP-ARRA REBATE GRANT
FORM 8c: VEHICLE / EQUIPMENT COST
REPLACEMENT ONLY

6. PRICE ANALYSIS FOR VEHICLE OR EQUIPMENT BEING PURCHASED

The price of the vehicle or equipment must be reasonable, as determined by whether the price exceeds the price normally charged for that type of vehicle or equipment absent the availability of a grant. This section **MUST** be completed to confirm that the price of the vehicle or equipment is reasonable. You must provide an original price quote from a dealership for the vehicle or equipment to be purchased or, if the purchase has already been made, a copy of the invoice or purchase order. In addition, you must check the applicable option below and provide the price comparison information required for that option. Governmental entities must follow competitive purchasing laws applicable to that entity in making a grant-funded purchase.

A. No Price Comparison Information is Required. If you check one of the following options, only one primary price quote must be provided. If the purchase has already been made, then a copy of the invoice or purchase order should be provided. No additional price comparison information is required unless requested by the TCEQ.

(1) _____ The applicant is a governmental entity and will use competitive purchasing procedures or purchase from a cooperative purchasing program. Price information from a cooperative purchasing list or a written price quote must still be provided to show the expected cost.

(2) _____ The requested grant amount listed on the Signature Page does not exceed 60 percent of the vehicle or equipment cost.

B. Price Comparison Information is Required. If you did not check one of the options above, you must provide price comparison information as requested under at least one of the options listed below. Check the applicable option and provide the requested information in addition to one primary price quote. **Machine-builder lists and/or manufacturer price-estimate forms are not acceptable price quotes.**

(1) _____ One primary and two additional original price quotes for the same make, model, and model year of vehicle or equipment from unrelated dealers.

(2) _____ Price information from a current government-approved price/bid list or cooperative purchasing price/bid list for the same make, model, and model year of vehicle or equipment.

(3) _____ At least two current advertised prices from internet sales sites or other public advertisements from different dealers for the same make, model, and model year of vehicle or equipment.

(4) _____ Documentation of prices charged for at least two recent sales to non-TERP customers by the dealer for the same make, model, and model year of vehicle or equipment. This information may include invoices or purchase orders with the identifying customer information blacked out or other written documentation (sales report, sales list, etc.) from the dealer.

(5) _____ No price comparison information is available. This option will be accepted only in unusual or special circumstances, such as with a unique type of vehicle or equipment available from only one source. An explanation of why no price comparison information is available must be provided below, along with a justification for why the price should be considered reasonable.

EXPLANATION

The TCEQ is not obligated to accept a price quote if the price does not appear to be reasonable. **If the base and/or overall price on the primary price quote is higher than the price comparison information provided above, you must provide an explanation of why the price should be considered reasonable. If no price comparison information is available (option 5), you must explain why the information is not available and why the price being charged should be considered reasonable.** The TCEQ is not obligated to accept the price listed and may deny an application where the price is determined unreasonable or may use a lower amount for determining the incremental cost for the grant. The TCEQ may use published national pricing/value guides and comparison with prices charged for other grants to determine if the price is reasonable.

**TERP-ARRA REBATE GRANT
FORM 8d: VEHICLE / EQUIPMENT COST
REPLACEMENT PROJECT PRICE QUOTE GUIDELINES**

This page is required with the application

Price quotes submitted with a grant application should follow the instructions outlined below. When requesting a price, applicants should provide these guidelines to the dealer to ensure that price quotes are prepared in accordance with the instructions.

The cost information listed on Form 8b, Section 2, should match the price quote.

Failure to provide price quotes meeting these requirements may result in denial of the application. The TCEQ may exclude portions of the costs from consideration based on a determination that those costs are not reasonable or necessary.

Machine-builder lists and/or manufacturer price-estimate forms will not be acceptable price quotes.

INSTRUCTIONS FOR REQUIRED PRICE QUOTES

1. Price quotes must be original and must have the applicant's name on the quote.
2. The dealer should sign and date the quote and provide contact information. In general, the price quote should be dated no more than three months prior to the application date.
3. The price quote should include specifications and prices for the standard vehicle or equipment options and additional equipment and options, to include, as applicable:
 - a. Specifications of the vehicle or equipment.
 - b. Base price for standard feature vehicle or equipment.
 - c. Itemized list and prices for factory-installed optional features.
 - d. Itemized list of and price for add-on equipment to be sold and installed by the dealer (i.e., dump bed, wet kit, etc.). Extra equipment sold and installed by a third party should not be included in the incremental cost. Also, non-permanent optional attachments, not directly required for the primary function of the vehicle or equipment, should not be included in the incremental cost. For example, a bucket may be included in the cost of an excavator, but an optional backhoe attachment for an agricultural tractor should not be included.
 - e. Additional fees and charges.
 - f. Taxes.

PURCHASE DOCUMENTS, IF THE VEHICLE/EQUIPMENT HAS ALREADY BEEN PURCHASED OR LEASED

If the vehicle or equipment has already been purchased, you must provide the purchase, lease, or financing agreement and/or invoice showing the price paid with the application.

TERP-ARRA REBATE GRANT
FORM 9: VEHICLE / EQUIPMENT OWNERSHIP AND CONDITION CERTIFICATION
REPLACEMENT ONLY

Certification of Ownership & Condition

1. By signing the application, and except where a waiver is requested under Section 2., the applicant certifies that the following requirements are met, where applicable:

- a. The Applicant's name must be on the vehicle title.
- b. The Applicant must have continuously owned the vehicle/equipment for the two years preceding the signature date on the application.
- c. The Applicant's name must have been listed on the front of the title for the two years preceding the signature date on the application. Lease-to-own agreements do not satisfy the ownership requirement.
- d. The vehicle must be registered in the applicant's name and have been continuously registered for operation in Texas for the two years preceding the signature date on the application. The applicant must provide current registration. If the vehicle was registered after October 2009, the applicant must attach previous registration documents.
- e. The vehicle/equipment must have been used in Texas for the two years preceding the signature date on the application.
- f. The vehicle must have a current safety inspection.
- g. The vehicle/equipment must be in good operating condition and capable of performing the primary functions of the vehicle/equipment.

Date old vehicle/equipment was purchased: _____ **Location of purchase:** _____
 (i.e. City, State)

On-Road Only

Vehicle Title Issuance Date: _____

Vehicle Registration Exp Date: _____ **Safety Inspection Sticker Exp. Date:** _____
 (attach current registration) (attach photo of current safety inspection sticker)

The applicant must attach current registration. If the vehicle was registered after October 2009, the applicant must attach previous registration.

2. Request for Waiver of Requirements (at TCEQ's discretion)

If the applicant requests consideration of one or more of the waivers outlined below, place a mark next to the waiver being requested and provide a detailed written request and documentation to show that a waiver is warranted. The TCEQ is not obligated to approve a waiver request. **(attach separate sheet)**

_____ The TCEQ may waive, case-by case, the two-year ownership requirement when the ownership of the company has changed, the assets of the company have been purchased by another company, or the company has changed names or incorporation status. The vocation of the vehicle or equipment may not have changed. The applicant must attach a written explanation and documentation of the changes to the company. The previous company must have owned the vehicle for the two years preceding the application date.

_____ If the current vehicle title is not at least two years old, the applicant must provide copies of the previous title documents covering the two year period and listing the applicant on the front as the owner. If the previous title documents were lost or are otherwise not available, the applicant must provide a written explanation and provide evidence to show that the vehicle was owned by and titled to the applicant. Note that finance arrangements where the applicant's name is not listed as the owner on the front of the title until all payments are made do not meet the requirements.

_____ The TCEQ may waive, case-by-case, the requirement that an on-road vehicle have a current registration and safety inspection for on-road vehicles used exclusively for non-road purposes. The applicant must provide a detailed written summary of the use of the vehicle.

_____ The TCEQ may waive, case-by-case, the requirement that an on-road vehicle have been continuously registered for the preceding two years when the vehicle was used exclusively for non-road purposes or in agricultural activities and other vocations where seasonal use and periodic registration are standard practice for that vocation. The applicant must provide a detailed written summary of the use of the vehicle including dates and amount of use over the preceding two years to show that the vehicle has been in operation for the two year period. If the vehicle was operated using temporary or limited-time registrations, the applicant should provide copies of those registration documents. The TCEQ will not normally accept vehicles with periods of several months between the use of the vehicle and where those breaks in use are not justified by the vocation of the vehicle.

**TERP-ARRA REBATE GRANT
FORM 10: VEHICLE / EQUIPMENT CERTIFICATION**

REPLACEMENT ONLY

VEHICLE/EQUIPMENT CERTIFICATION
This form is to be completed and signed by a certified mechanic or a service agent qualified to assess the condition of the vehicle or equipment. The service agent may not be the consultant or an employee of the applicant, unless otherwise approved by the TCEQ.

INFORMATION ON THE VEHICLE BEING REPLACED

Vehicle Identification Number (VIN) or Serial Number:	
--	--

Note: The VIN or Identification number must match the number listed on form 7a or 7b and the title/registration (if applicable).

SERVICE AGENT INFORMATION: *(do not complete if the vehicle/equipment is not operating)*

I, the undersigned, have inspected the vehicle/equipment noted above. The engine starts and runs properly and the vehicle/equipment is in good operating condition. In my professional opinion, the vehicle/equipment is able to perform the functions normally expected for this type of vehicle/equipment and could be expected to operate for an additional 5 to 7 years.

Printed Name:	
Name of Service Company:	
Phone Number:	
Address:	
List qualifications to assess the condition of the vehicle or equipment (i.e., certified mechanic, license #, years of experience, etc.)	

Must be original signature (please sign in blue ink)

Service Agent Signature:		Date: (in ink)	
---------------------------------	--	-----------------------	--

TCEQ USE ONLY

Application #

TCEQ USE ONLY4

Contract #

TERP-ARRA REBATE GRANT SUPPLEMENTAL FORM 1

This form is required with the application

1. Legal Applicant Name: _____

2. Payee Identification Number (PIN): Indicate the type of number you are providing to be used for your PIN.

Provide one of the following numbers.

A. Only complete if you are applying as an individual.

Social Security Number (SSN): _____

OR

B. Only complete if you are applying as a company or other entity (including DBA's)

Federal Employer's Identification (FEI) Number: _____

3. Is the applicant currently reporting any Texas tax to the Comptroller's Office other than unemployment (e.g., sales tax, franchise tax)?

_____ Yes, enter Texas Taxpayer Number _____

_____ No

4. Do you plan to assign your grant payments to a third party "Assignee":

Yes No

Mailing Address for Grant Payments : Include individual or entity name, address, city, state, and zip code.

_____ (Name) (Address) (City) (State) (Zip)

5. Ownership Codes: Check only one (1) ownership type that applies to this application and matches the legal name.

_____ I - Individual Recipient (does not own a business)

_____ J - Joint Venture

_____ S - Sole Ownership (individual owning a business)

_____ L - Limited Partnership

Owner's Name: _____

Texas File #: _____

Owner's SSN: _____

_____ T - Texas Corporation /
Limited Liability Corporation

Texas Charter #: _____

_____ P - Partnership, if checked, enter two partner's names and Social Security Numbers (SSN). If a partner is a corporation, use the corporation's Federal Employer's Identification (FEI) Number.

_____ A - Professional Association

Texas Charter #: _____

Name: _____

_____ C - Professional Corporation

Texas Charter #: _____

SSN/FEI#: _____

_____ O - Out-of-State Corporation

Name: _____

_____ G - Governmental Entity

SSN/FEI#: _____

_____ U - State Agency/University

_____ R - Foreign (outside of USA)

_____ N - Other (explain): _____

TCEQ USE ONLY
Application #

TERP-ARRA REBATE GRANT
CERTIFICATIONS
SUPPLEMENTAL FORM 2
This form is required with the application

TCEQ USE ONLY
Contract #

Legal Applicant Name: _____

Certification Regarding Child Support Obligations

All individuals or business entities, including sole proprietors must complete this section, regardless if child support obligations apply to the applicant.

Under Section 231.006, Texas Family Code, a child support obligor who is more than 30 days delinquent in paying child support and a business entity in which the obligor is a sole proprietor, partner, shareholder, or owner with an ownership interest of at least 25 percent is not eligible to receive a state-funded grant or loan. All applicants must include in the application the name and social security number of the individual or sole proprietor and each partner, shareholder, or owner with an ownership interest of 25 percent of the business entity submitting the application.

Please check one of the options below. If the first option is checked, list the Name and Social Security Number of any individual who owns 25% or more of the business entity submitting this application, regardless if child support obligations apply to them.

Check if the applicant is an individual or sole proprietorship, or if one or more individuals own 25% or more of the business. List the names and social security numbers (SSN) below.

Name: _____ SSN: _____

Name: _____ SSN: _____

Name: _____ SSN: _____

Name: _____ SSN: _____

Check if no single individual who owns 25% or more of the business.

Check if the applicant is not an individual or business entity.

By submission of this application, I certify that to the best of my knowledge and belief that the individual or business entity submitting this application is eligible to receive a grant. I acknowledge that the grant contract may be terminated and any payments withheld if this certification is inaccurate.

**TERP-ARRA REBATE GRANT
APPLICANT SURVEY FORM
SUPPLEMENTAL FORM 3 (optional)**

In order to better serve our customers, the TCEQ would appreciate your completion of this survey regarding how you first learned about the TERP grant programs. Completion and inclusion in the application is optional.

Applicant Name: _____

County: _____

Please indicate how you first learned about the TERP grant programs:

- | | |
|--------------------------|---|
| <input type="checkbox"/> | TERP Web Site |
| <input type="checkbox"/> | Direct Mailing |
| <input type="checkbox"/> | Phone Call |
| <input type="checkbox"/> | Presentation and Information at Meeting or Convention |
| <input type="checkbox"/> | Dealer or Vendor |
| <input type="checkbox"/> | Consultant |
| <input type="checkbox"/> | Advertisement in Newspaper |
| <input type="checkbox"/> | Advertisement in Magazine or other Periodical |
| <input type="checkbox"/> | Radio |
| <input type="checkbox"/> | Billboard |
| <input type="checkbox"/> | Television News |
| <input type="checkbox"/> | Other Applicants or Grant Recipients |
| <input type="checkbox"/> | Other (explain below): |

After you first learned about the TERP grant programs, please indicate how you first learned about the opening of this grant application period:

- | | |
|--------------------------|---|
| <input type="checkbox"/> | TERP Web Site |
| <input type="checkbox"/> | Email Notice |
| <input type="checkbox"/> | Direct Mailing Notice |
| <input type="checkbox"/> | Called TERP 800 Number |
| <input type="checkbox"/> | Presentation and Information at Meeting or Convention |
| <input type="checkbox"/> | Phone Call from TCEQ or Outreach Representatives |
| <input type="checkbox"/> | Dealer or Vendor |
| <input type="checkbox"/> | Consultant |
| <input type="checkbox"/> | Advertisement in Newspaper |
| <input type="checkbox"/> | Advertisement in Magazine or other Periodical |
| <input type="checkbox"/> | Radio |
| <input type="checkbox"/> | Billboard |
| <input type="checkbox"/> | Television News |
| <input type="checkbox"/> | Other Applicants or Grant Recipients |
| <input type="checkbox"/> | Other (explain below): |

**TERP-ARRA REBATE GRANT
REQUIRED
ATTACHMENTS**

The following materials must be included with the ARRA REBATE application.

REPOWERS

_____ A detailed original price quote including itemized list of the work to be performed and the equipment to be purchased.

_____ If the work has already been completed, provide the purchase or financing agreement and/or invoice showing the price paid.

_____ Two photographs depicting an overall picture of the vehicle/equipment and the engine.

REPLACEMENTS

_____ If the vehicle/equipment/engine has not yet been purchased, submit a detailed original price quote for the purchase. You must also provide the price comparison information for the option selected on Form 8c.

_____ If the vehicle/equipment/engine has already been purchased, provide the purchase, lease, or financing agreement and/or invoice showing the price paid. The purchase may not have been made before the opening of the grant application period. You must also provide the price comparison information for the option selected on Form 8c.

_____ *On-Road Only:* A copy of the applicant's current vehicle registration renewal receipt and, if required, the previous year registration documents.

_____ *On-Road Only:* A copy of the title of the vehicle.

_____ Three photographs showing (1) the entire vehicle/equipment, including the tires, (2) the engine, and (3) for vehicles, the registration and inspection sticker.

_____ *On-Road Only: (vehicles exceeding 20,000 lb. per axle)* A copy of the applicant's annual overweight permit and/or proof of documentation that the vehicle has been permanently operating over 20,000 lb. per axle for the previous two years.

SUPPLEMENTAL FORMS

_____ 1. Payee Identification Number Form

_____ 2. Certification Regarding Child Support Obligations Form

_____ 3. Survey Form (optional)

The supplemental forms must be submitted with the application; however, the forms will not be part of the contract document.

(This page does not need to be returned with the application forms.)