Rebate Grants Program
Application Forms

TCEQ-20332

Draft Document - Do Not Use

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.
3. If applying as an individual or sole proprietor, **a photocopy of a state or federal identification card** must be included in the application (i.e. driver's license).
4. The applicant agrees to submit a copy of a Nonrepairable Title issued by the Texas Motor Vehicles for the vehicle replaced at the same time as the required disposition.

ELIGIBLE COUNTIES

Austin Area: Bastrop, Caldwell, Hays, Travis, and Williamson Counties
Beaumont-Port Arthur Area: Hardin, Jefferson, and Orange Counties
Dallas-Fort Worth Area: Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant Counties
Houston-Galveston-Brazoria Area: Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties
San Antonio Area: Bexar, Comal, Guadalupe, and Wilson Counties
Tyler-Longview Area: Gregg, Harrison, Rusk, Smith, and Upshur Counties

APPLICATION DEADLINE:
TERP- Rebate Grants will be awarded on a first-come, first-served basis.
Applications will be accepted until July 31, 2011**,** 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 (Rebate Grants), MC-204
P.O. Box 13087
Austin, TX 78711-3087
1-800-919-TERP (8377)

www.terpgrants.org

TERP - REBATE GRANT

DRAFT DO NOT USE APPLICATION INSTRUCTIONS DRAFT DO NOT USE

This application is to be used to apply for a Rebate Grant for projects under the Texas Commission on Environmental Quality's (TCEQ) Texas Emission Reduction Plan (TERP) program. Please note, this program differs from the regular TERP Emissions Reduction Incentive Grant (ERIG) program.

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 Rebate Grant, which become part of the Rebate Grant Agreement. Applicants should review the Terms and 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 to be funded. 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 black or blue 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. If applying as an individual or sole proprietor, you must include **a photocopy of a state or federal identification card** (i.e. driver's license). 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 **two** copies (with original signatures) of the completed application to:

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

Express Mail:
Texas Commission on Environmental Quality
Air Quality Division
Implementation Grants (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 both the ERIG Program and this Rebate Grant 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.
- Applicants must complete the W-9 Forms and submit with the application.
- We believe this to be a taxable grant. Please consult with your tax advisor.

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 - REBATE GRANT
GRANT INFORMATION AND REQUIREMENTS

Below is a list of the basic grant requirements for the 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 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.
- 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 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. The applicant must also commit to an activity life of either 5 or 7 years in the application.

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 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 NOx 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- 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. DRAFT DOCUMENT - DO NOT USE

ON-ROAD VEHICLES (Tables provided in Appendix C & D)

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

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

Step 2. Determine the total percentage of annual mileage spent operating in the eligible areas.

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.

If the total section 1A of form 5 falls between:	75 - 100%	Select a table from the A-5 (5 yr) or A-7 (7 yr)
If the total section 1A of form 5 falls between:	50 - 74%	Select a table from the B-5 (5 yr) or B-7 (7 yr)
If the total section 1A of form 5 falls between:	25 - 49%	Select a table from the C-5 (5 yr) or C-7 (7 yr)

Step 3. 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 4. 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. 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.

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- Certified at 2.375 g/bhp-
- Certified between 2.374 g/bhp-hr and 1.3 g/bhp-hr
- Certified between 1.299 g/bhp-hr and 0.201 g/bhp-hr
- Certified 0.2 g/bhp-hr and lower

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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.

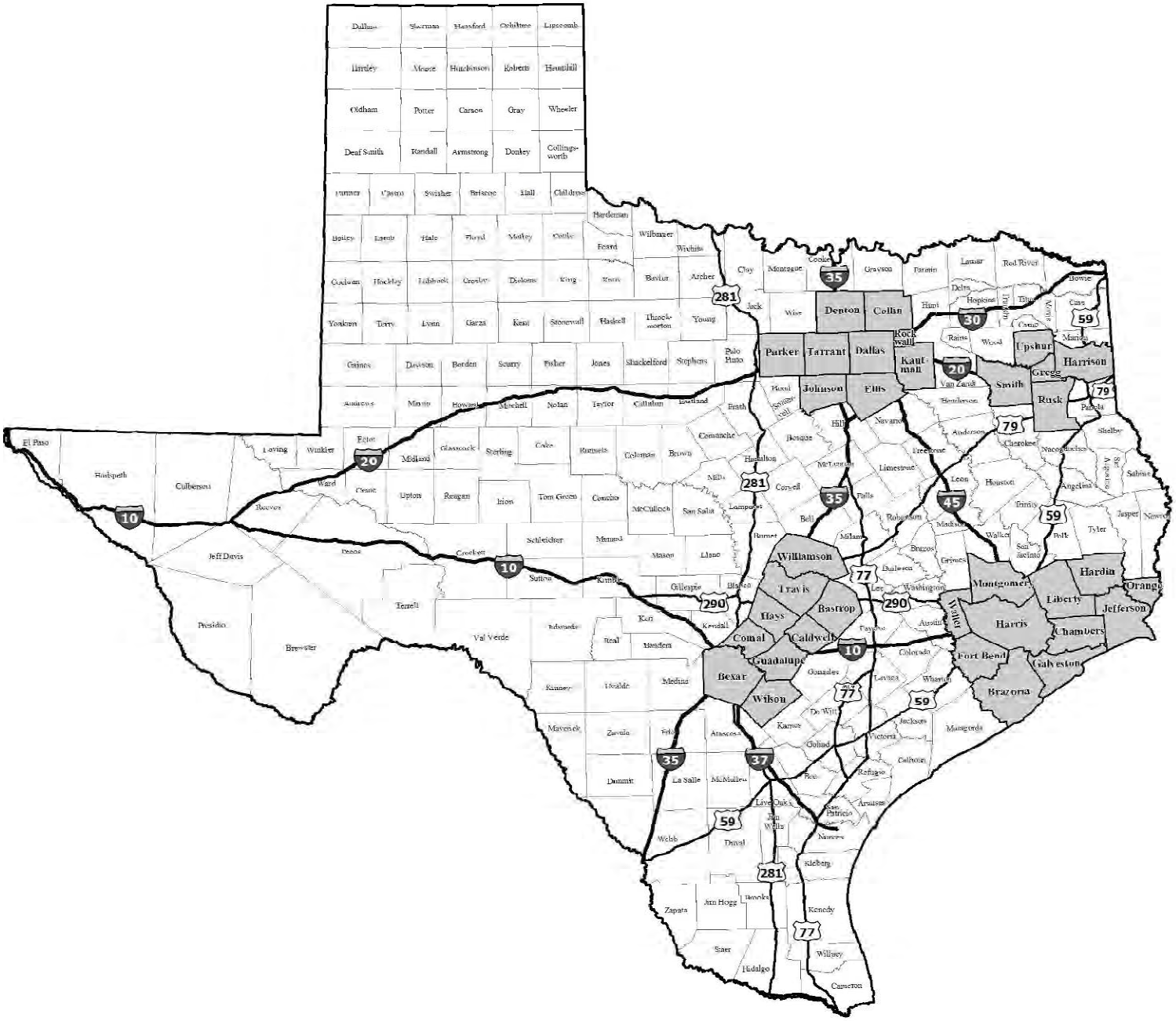
The tables are broken down by horsepower. You must know the horsepower of your current equipment engine and that of the replacement equipment engine. The horsepower should be the manufacturer's gross rated horsepower of that engine in that type of equipment.

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 - REBATE GRANT

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


Parker
Tarrant
Dallas
Kaufman
Denton
Collin
Johnson
Ellis
Upshur
Harrison
Gregg
Smith
Rusk
Williamson
Travis
Bastrop
Hays
Comal
Caldwell
Guadalupe
Bexar
Wilson
Montgomery
Liberty
Hardin
Orange
Jefferson
Harris
Chambers
Fort Bend
Galveston
Brazoria
Brazos
Grimes
Walker
Leon
Houston
Angelina
Nacogdoches
Cherokee
Anderson
Henderson
Van Zandt
Rockwall
Hunt
Navarro
Freestone
Limestone
Hill
McLennan
Bosque
Hamilton
Coryell
Bell
Milam
Robertson
Madison
Burleson
Washington
Lee
Fayette
Austin
Colorado
Lavaca
Wharton
Gonzales
Caldwell
Kendall
Bandera
Medina
Uvalde
Kinney
Maverick
Zavala
Frio
Atascosa
Karnes
Goliad
Victoria
Jackson
Matagorda
Calhoun
Refugio
Aransas
San Patricio
Nueces
Kleberg
Kenedy
Willacy
Cameron
Hidalgo
Starr
Zapata
Jim Hogg
Brooks
Duval
Webb
La Salle
McMullen
Live Oak
Jim Wells
Dimmit
Val Verde
Edwards
Real
Kerr
Bandera
Terrell
Presidio
Brewster
Jeff Davis
Culberson
Hudspeth
El Paso
Loving
Winkler
Ector
Midland
Glasscock
Sterling
Coke
Runnels
Coleman
Brown
Comanche
Erath
Palo Pinto
Jack
Wise
Clay
Montague
Cooke
Grayson
Fannin
Lamar
Red River
Bowie
Delta
Hopkins
Franklin
Titus
Morris
Cass
Camp
Marion
Rains
Wood
Panola
Shelby
Sabine
San Augustine
Jasper
Newton
Polk
Tyler
San Jacinto
Trinity
Ward
Crane
Upton
Reagan
Irion
Tom Green
Concho
McCulloch
San Saba
Lampasas
Burnet
Mills
Hamilton
Mason
Llano
Gillespie
Blanco
Kimble
Sutton
Schleicher
Menard
Crockett
Pecos
Reeves
Jeff Davis
Terrell
Presidio
Brewster
Val Verde
Edwards
Real
Kerr
Bandera
Medina
Uvalde
Kinney
Maverick
Zavala
Frio
Atascosa
Karnes
Goliad
Victoria
Jackson
Matagorda
Calhoun
Refugio
Aransas
San Patricio
Nueces
Kleberg
Kenedy
Willacy
Cameron
Hidalgo
Starr
Zapata
Jim Hogg
Brooks
Duval
Webb
La Salle
McMullen
Live Oak
Jim Wells
Dimmit
Val Verde

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

TCEQ USE ONLY Application #		TCEQ USE ONLY Contract #

Legal Applicant Name (print/type):	**DRAFT DOCUMENT - DO NOT USE**

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

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

	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, 2013**

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 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 <u>five or seven-year activity life</u> as selected in this application,

-that no less than <u>75 percent</u> 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 that 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, and the Terms and Conditions 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)	***Draft Document - Do Not Use***
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 **July 31, 2011**, or later if that period is extended.*

TCEQ Contact Information

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

Phone: 1-800-919-TERP (8377)
Fax: (512) 239-6161
Web: www.terpgrants.org
Email: TERP@tceq.texas.gov

TERP - 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	**Draft Document - Do Not Use**
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)	

TERP - 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, Application Forms 1, 2, 3, 4, 5, 6, 7a, 7b, 8a, 8b, 8c, 8d, 9, and 10.
- 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 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
- 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)
- W-9 Request for Taxpayer Identification Number and Certification Forms

TERP ATTACHMENTS

- Photocopy of the applicant's state or federal identification card (if applying as an individual or sole proprietor).
- On-Road Vehicles- A copy of the applicant's title, current vehicle registration, three photographs showing (1) the entire vehicle, including the tires, (2) the engine, and (3) the registration and inspection sticker.
- On-Road vehicles exceeding 20,000 lbs. 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 lbs. per axle for the previous two years.
- Non-Road Equipment- two photographs showing (1) the entire piece of equipment, including the tires, and (2) a close-up photo of the engine.

TERP - REBATE GRANT
TERP GENERAL CERTIFICATIONS

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This page is required in 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 with 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 - REBATE GRANT
TERP GENERAL CERTIFICATIONS (cont.)

This page is required in 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.

DRAFT DOCUMENT - DO NOT USE

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

Date

Authorized Official Signature
(Person signing application)

DRAFT DOCUMENT - DO NOT USE

Print Name
(Authorized Official printed name)

TERP - REBATE GRANT
FORM 1: CONTACT INFORMATION

DRAFT DOCUMENT - DO NOT USE

1. Authorized Official The person signing this application.

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

Mailing Address: _____
Street Address City State Zip

Physical Address: DRAFT DOCUMENT - DO NOT USE
(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.) draft **Title:** _____

Mailing Address: _____
Street Address City State Zip

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

Contact Phone #s: DRAFT DOCUMENT - DO NOT USE **Fax:** draft

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: DRAFT DOCUMENT - DO NOT USE
(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: DRAFT DOCUMENT - DO NOT USE
Street Address City State Zip

TERP - REBATE GRANT
FORM 2: GENERAL INFORMATION

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

DRAFT DOCUMENT - DO NOT USE

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 - REBATE GRANT
FORM 3: DISPOSITION

REPLACEMENT ONLY: DISPOSITION OF VEHICLE/ENGINE BEING REPLACED

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.

The applicant agrees to submit a copy of a Texas Nonrepairable Vehicle Title issued by the Texas Department of Motor Vehicles (TxDMV) for the vehicle replaced under this Agreement. The Texas Nonrepairable Vehicle Title must be submitted at the same time as the required disposition documentation to the TCEQ.

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 scrappage activities and, if known, identify (name, address, and phone #) the company that will scrap the equipment.

DRAFT DOCUMENT - DO NOT USE

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 scrappage 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.
- ALL PHOTOS MUST BE IN COLOR

TERP - 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:*** Draft Do Not Use

_____ **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 cost may not have been incurred prior to 12 months of the application deadline.

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

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

_____ **REPOWER: ON-ROAD VEHICLE**

_____ **REPOWER: NON-ROAD EQUIPMENT**

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

_____ **REPLACEMENT: ON-ROAD VEHICLE**

_____ **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: Draft Do Not Use

5 Years Draft Do Not Use **7 Years** _____ Draft Do Not Use

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

6. Certification of Use:

This section must be completed even if odometer/hour meter is not working.

Is the odometer/hour meter working (Y/N): _____ Draft Do Not Use

ON-ROAD VEHICLE

Current Mileage: Draft Do Not Use **OR**

NON-ROAD EQUIPMENT

Total hours on log/meter Draft Do Not Use

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

Miles Per Year: Draft Do Not Use **OR** Hours Per Year: Draft Do Not Use

The new equipment is expected to be operated:

Miles Per Year: Draft Do Not Use **OR** Hours Per Year: Draft Do Not Use

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).

Draft Do Not Use

TERP - 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: (Each year the percentage of miles the applicant operates in the qualifying counties must meet or exceed the percentage listed in section "A" below, or we will ask you to pay money back.)

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	**draft %**

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 - REBATE GRANT
FORM 6: VEHICLE / EQUIPMENT INFORMATION

Draft Do Not Use

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 (lbs.) 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 lbs. 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: Draft Do Not Use 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: Draft Do Not Use 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:

_____ Excavator
_____ Crane
_____ Grader
_____ Off-Highway Truck
_____ Crushing-Processing Equipment
_____ Rough Terrain Forklift
_____ Rubber Tire Loader
_____ Rubber Tire Dozer

Draft Do Not Use

_____ Tractor/Backhoe/Loader
_____ Crawler Tractor
_____ Skid Steer Loader
_____ Off-Highway Tractor
_____ Forklift
_____ Agricultural Tractor
_____ Combine
_____ Terminal Tractor

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

REPOWER ONLY

DRAFT DOCUMENT - DO NOT USE

Vehicle/Equipment Information	Vehicle/Equipment Being Repowered	
a. Vehicle/Equipment Description (i.e., haul truck, excavator, etc.)	**DRAFT DOCUMENT - DO NOT USE**	
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	Diesel	Diesel
h. Engine horsepower rating (non-road only)		
i. Engine Make		
j. Engine Model		
k. Engine Identification Number	*(if known)*	
l. Engine Manufacture Year		
m. Engine Emissions Model Year*		**N/A**
n. Engine Family Code (12-digit emissions code)		
o. Certified NO_x Emissions (g/bhp-hr)	**DRAFT DOCUMENT - DO NOT USE**	

*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.

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.

Is this an upgrade system? Y / N _____

Provide manufacturer name: _____

ALL INFORMATION MUST BE COMPLETE TO BE ELIGIBLE

TERP - 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.)	DRAFT DOCUMENT	
The replacement vehicle or equipment must be of the same type and use as the vehicle or equipment being replaced.		
b. Fuel type	Diesel	Diesel
c. Vehicle/Equipment Make		
d. Vehicle/Equipment Model/Model Number		DRAFT DOCUMENT
e. Identification Number (VIN or serial #)	*(if known)*	
f. Vehicle Model Year		
g. Engine Horsepower Rating (hp)		
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.		
h. Gross Vehicle Weight Rating (Should not exceed 20,000 lbs. per axle)		
For on-road projects the replacement vehicle must be in the same weight category as the vehicle being replaced.		
i. Engine Make		
j. Engine Model		
k. Engine Identification Number	*(if known)*	
l. Engine Manufacture Year		
m. Engine Family Code (12-digit emissions code)		N/A
n. Certified NO_x Emissions (g/bhp-hr)	DRAFT DOCUMENT	

Confirm the NOx emission rate for the new engine. **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 certified emissions rate to determine the rebate grant amount from the rebate grant tables.**

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.

DRAFT ALL INFORMATION MUST BE COMPLETE TO BE ELIGIBLE DRAFT

TERP - 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.

DRAFT DOCUMENT - DO NOT USE

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

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. **DRAFT**

(+ 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* (+ ADD)

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.)*

(- SUBTRACT)

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

(- SUBTRACT)

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.

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*)	**DRAFT**

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 - REBATE GRANT
FORM 8b: VEHICLE / EQUIPMENT COST
DRAFT DOCUMENT - DO NOT USE
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)	**DRAFT**

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.	
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)
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 *This does not include the amount you finance through a bank or other third-party to purchase the equipment.*	(- SUBTRACT) **DRAFT**
E. Incremental Cost / Cost to Applicant (A+B-C-D= E) *multiply Box "E" by .80 to get the eligible project costs for Box "F"*	(x .80)
F. ELIGIBLE PROJECT COSTS May not exceed 80% of the applicant's cost [.80 x incremental cost (E)]	**DRAFT**

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 #*

DRAFT DOCUMENT - DO NOT USE

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 - 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. **DRAFT DOCUMENT DO NOT USE**

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) **draft** 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. **Machine-builder lists and/or manufacturer price-estimate forms are not acceptable price quotes.**

Check the applicable option and provide the requested information in addition to ONE PRIMAY PRICE QUOTE:

(1) _____ 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.

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

DRAFT This page is required with the application DRAFT

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. DRAFT DOCUMENT - DO NOT USE

   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 - REBATE GRANT

FORM 9: VEHICLE / EQUIPMENT OWNERSHIP AND CONDITION CERTIFICATION

REPLACEMENT ONLY

Certification of Ownership & Condition DRAFT DOCUMENT - DO NOT USE

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 November 30, 2010, 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: DRAFT DO NOT USE

Location of purchase: DRAFT DOCUMENT - DO NOT USE
(i.e. City, State)

On-Road Only

Vehicle Title Issuance Date: DRAFT DO NOT USE

Vehicle Registration Exp Date: DRAFT DO NOT USE
(attach current registration)

Safety Inspection Sticker Exp. Date: DRAFT DO NOT USE
(attach photo of current safety inspection sticker)

The applicant must attach current registration. If the vehicle was registered after November 30, 2010, the applicant must attach a copy of the 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)**

draft 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.

draft 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

DRAFT DOCUMENT - DO NOT USE

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:	DRAFT DOCUMENT - DO NOT USE

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:	DRAFT DOCUMENT - DO NOT USE
Name of Service Company:	
Phone Number:	DRAFT DOCUMENT - DO NOT USE
Address:	
List qualifications to assess the condition of the vehicle or equipment (i.e., certified mechanic, license #, years of experience, etc.)	DRAFT DOCUMENT - DO NOT USE

Must be original signature (please sign in blue ink)

Service Agent Signature:	DRAFT DOCUMENT - DO NOT USE	**Date: (in ink)**	

DRAFT
TCEQ USE ONLY
Application #

TERP - REBATE GRANT
SUPPLEMENTAL FORM 1
This form is required with the application

DRAFT
TCEQ USE ONLY
Contract #

1. Legal Applicant Name:

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

Provide on 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: _____

We believe this to be a taxable grant. Please consult with your tax advisor.

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)**

_____ **S - Sole Ownership (individual owning a business)**

Owner's Name: _____

Owner's SSN: _____

_____ **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.*

Name: DRAFT

SSN/FEI#: _____

Name: _____

SSN/FEI#: _____

_____ **N - Other (explain):** _____

_____ **L - Limited Partnership**

Texas File #: DRAFT

_____ **T - Texas Corporation / Limited Liability Corporation**

Texas Charter #: _____

_____ **A - Professional Association**

Texas Charter #: _____

_____ **C - Professional Corporation**

Texas Charter #: _____

_____ **O - Out-of-State Corporation**

_____ **G - Governmental Entity**

_____ **U - State Agency/University**

_____ **R - Foreign (outside of USA)**

DRAFT
TCEQ USE ONLY
Application#
DRAFT

TERP - REBATE GRANT CERTIFICATIONS SUPPLEMENTAL FORM 2

This form is required with the application

DRAFT
TCEQ USE ONLY
Contract #
DRAFT

Legal Applicant Name: DRAFT DOCUMENT - DO NOT USE

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.

[X] **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: DRAFT **SSN:** _____

Name: _____ **SSN:** _____

Name: _____ **SSN:** DRAFT

[X] **Check if no single individual who owns 25% or more of the business.**

[X] **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 - REBATE GRANT
APPLICANT SURVEY FORM
SUPPLEMENTAL FORM 3 (optional)

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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:

- [ ] TERP Web Site
- [ ] Direct Mailing
- [ ] Phone Call
- [ ] Presentation and Information at Meeting or Convention
- [ ] Dealer or Vendor
- [draft] Consultant
- [ ] Advertisement in Newspaper
- [ ] Advertisement in Magazine or other Periodical
- [ ] Radio
- [ ] Billboard
- [ ] Television News
- [ ] Other Applicants or Grant Recipients
- [ ] 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:

- [ ] TERP Web Site
- [ ] Email Notice
- [ ] Direct Mailing Notice
- [ ] Called TERP 800 Number
- [ ] Presentation and Information at Meeting or Convention
- [draft] Phone Call from TCEQ or Outreach Representatives
- [ ] Dealer or Vendor
- [ ] Consultant
- [ ] Advertisement in Newspaper
- [ ] Advertisement in Magazine or other Periodical
- [ ] Radio
- [ ] Billboard
- [ ] Television News
- [ ] Other Applicants or Grant Recipients
- [ ] Other (explain below):

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application #
draft

TERP - REBATE GRANT
REQUEST FOR TAXPAYER IDENTIFICATION NUMBER AND CERTIFICATION
SIGNATURE PAGE
SUPPLEMENTAL FORM 4

This form is required with the application

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TCEQ USE ONLY
Contract #
draft

Form **W-9**
(Rev. October 2007)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)

Business name, if different from above

Check appropriate box: ☐ Individual/Sole proprietor ☐ Corporation ☐ Partnership
☐ Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ►
☐ Other (see instructions) ►

☐ Exempt payee

Address (number, street, and apt. or suite no.)

Requester's name and address (optional)

City, state, and ZIP code

List account number(s) here (optional)

Part I **Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number

or

Employer identification number

Part II **Certification**

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here Signature of U.S. person ► Date ►

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

TERP - REBATE GRANT
INSTRUCTIONS FOR REQUEST FOR TAXPAYER IDENTIFICATION NUMBER AND CERTIFICATION
SUPPLEMENTAL FORM 4 (cont. page 2)

DRAFT This page is required with the application DRAFT

- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate Instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of $50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a $500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

Sole proprietor. Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

Limited liability company (LLC). Check the "Limited liability company" box only and enter the appropriate code for the tax classification ("D" for disregarded entity, "C" for corporation, "P" for partnership) in the space provided.

For a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Regulations section 301.7701-3, enter the owner's name on the "Name" line. Enter the LLC's name on the "Business name" line.

For an LLC classified as a partnership or a corporation, enter the LLC's name on the "Name" line and any business, trade, or DBA name on the "Business name" line.

Other entities. Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

Note. You are requested to check the appropriate box for your status (individual/sole proprietor, corporation, etc.).

Exempt Payee

If you are exempt from backup withholding, enter your name as described above and check the appropriate box for your status, then check the "Exempt payee" box in the line following the business name, sign and date the form.

TERP - REBATE GRANT
INSTRUCTIONS FOR REQUEST FOR TAXPAYER IDENTIFICATION NUMBER AND CERTIFICATION
SUPPLEMENTAL FORM 4 (cont. page 3)

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Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

Note. If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

The following payees are exempt from backup withholding:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2),

2. The United States or any of its agencies or instrumentalities,

3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities,

4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or

5. An international organization or any of its agencies or instrumentalities.

Other payees that may be exempt from backup withholding include:

6. A corporation,

7. A foreign central bank of issue,

8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,

9. A futures commission merchant registered with the Commodity Futures Trading Commission,

10. A real estate investment trust,

11. An entity registered at all times during the tax year under the Investment Company Act of 1940,

12. A common trust fund operated by a bank under section 584(a),

13. A financial institution,

14. A middleman known in the investment community as a nominee or custodian, or

15. A trust exempt from tax under section 664 or described in section 4947.

The chart below shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 9
Broker transactions	Exempt payees 1 through 13. Also, a person registered under the Investment Advisers Act of 1940 who regularly acts as a broker
Barter exchange transactions and patronage dividends	Exempt payees 1 through 5
Payments over $600 required to be reported and direct sales over $5,000[1]	Generally, exempt payees 1 through 7[2]

[1] See Form 1099-MISC, Miscellaneous Income, and its instructions.

[2] However, the following payments made to a corporation (including gross proceeds paid to an attorney under section 6045(f), even if the attorney is a corporation) and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, and payments for services paid by a federal executive agency.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited liability company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at *www.ssa.gov*. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at *www.irs.gov/businesses* and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting *www.irs.gov* or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: *A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.*

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 4, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). Exempt payees, see *Exempt Payee* on page 2.

Signature requirements. Complete the certification as indicated in 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

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INSTRUCTIONS FOR REQUEST FOR TAXPAYER IDENTIFICATION NUMBER AND CERTIFICATION
SUPPLEMENTAL FORM 4 (cont. page 4)

DRAFT This page is required with the application DRAFT

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account [1]
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor [2]
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee [1]
b. So-called trust account that is not a legal or valid trust under state law	The actual owner [1]
5. Sole proprietorship or disregarded entity owned by an individual	The owner [3]
For this type of account:	**Give name and EIN of:**
6. Disregarded entity not owned by an individual	The owner
7. A valid trust, estate, or pension trust	Legal entity [4]
8. Corporate or LLC electing corporate status on Form 8832	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership or multi-member LLC	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

[1] List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

[2] Circle the minor's name and furnish the minor's SSN.

[3] You must show your individual name and you may also enter your business or "DBA" name on the second name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

[4] List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 1.

Note. If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, social security number (SSN), or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

Call the IRS at 1-800-829-1040 if you think your identity has been used inappropriately for tax purposes.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to *phishing@irs.gov.* You may also report misuse of the IRS name, logo, or other IRS personal property to the Treasury Inspector General for Tax Administration at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: *spam@uce.gov* or contact them at *www.consumer.gov/idtheft* or 1-877-IDTHEFT(438-4338).

Visit the IRS website at *www.irs.gov* to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA, or Archer MSA or HSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, the District of Columbia, and U.S. possessions to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 28% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

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REQUIRED
ATTACHMENTS

DRAFT DOCUMENT - DO NOT USE

The following materials must be included with the 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.

_____ A photocopy of a state or federal identification card, if applying as an individual or sole proprietor. (photocopy of ID will not be part of the contract document.)

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 lbs. 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 lbs. per axle for the previous two years.

_____ A photocopy of a state or federal identification card, if applying as an individual or sole proprietor. (photocopy of ID will not be part of the contract document.)

SUPPLEMENTAL FORMS

_____ 1. Payee Identification Number Form

_____ 2. Certification Regarding Child Support Obligations Form

_____ 3. Survey Form (optional)

_____ 4. W-9 Request for Taxpayer Identification and Certification Forms (4 pages)

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.)