

**Texas Commission on Environmental Quality (TCEQ)  
Texas Emissions Reduction Plan (TERP)**

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**ALTERNATIVE FUELING FACILITIES PROGRAM (AFFP)  
Request for Grant Applications (RFGA)  
Fiscal Year 2020**

**Grants for Projects to  
Improve Texas Air Quality**

**AFFP Solicitation No. 582-20-10898-AF**

**Eligible Counties**

**Austin Area:** Bastrop, Caldwell, Hays, Travis, and Williamson Counties.

**Beaumont-Port Arthur Area:** Hardin, Jefferson, and Orange Counties.

**Corpus Christi Area:** Nueces and San Patricio Counties.

**Dallas-Fort Worth Area:** Collin, Dallas, Denton, Ellis, Henderson, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties.

**El Paso Area:** El Paso County.

**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.

**Other Counties inside the Clean Transportation Zone:** Aransas, Atascosa, Austin, Bee, Bell, Brazos, Burleson, Calhoun, Colorado, DeWitt, Duval, Falls, Fayette, Freestone, Frio, Goliad, Gonzales, Grimes, Hill, Jackson, Jim Wells, Karnes, La Salle, Lavaca, Lee, Leon, Limestone, Live Oak, Madison, Matagorda, McLennan, McMullen, Medina, Milam, Navarro, Refugio, Robertson, Victoria, Walker, Washington, Webb, and Wharton Counties.

**November 22, 2019**

**Texas Commission on Environmental Quality (TCEQ)  
Air Grants Division  
AFFP, MC- 204  
P.O. Box 13087  
Austin, Texas 78711-3087  
1-800-919-TERP (8377)**

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Applications will be accepted for consideration during this grant period only if received and date-stamped at the front desk, Room 1301, 1<sup>st</sup> floor of Building F on the premises of the TCEQ (12100 Park 35 Circle, Austin, TX, 78753) by no later than 5:00 p.m. Central Standard Time, March 18, 2020. Applications received in the TCEQ mail room on this date are not guaranteed to be delivered to Building F, Room 1301 by the required deadline. Applicants are highly encouraged to plan their submissions accordingly. The award of the grant is dependent upon the availability of funding. Any changes to this solicitation will be made through an addendum in the Electronic System Business Daily (ESBD).

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**ALTERNATIVE FUELING FACILITIES PROGRAM (AFFP)  
Request for Grant Applications (RFGA)  
Fiscal Year 2020**

**1.0 INVITATION**

The Texas Commission on Environmental Quality (TCEQ) invites applications for the Alternative Fueling Facilities Program (AFFP). The AFFP funds natural gas and alternative fueling station projects in the 83 Texas counties that make up the Clean Transportation Zone. A map and list of counties included in the Clean Transportation Zone are provided in Appendix A.

Applicants may apply for multiple grants at different locations, but only one grant application will be accepted from an applicant for each facility and only one grant may be awarded for each facility location. In addition, grant funding may not be combined under this program and other TERP grant programs administered by the TCEQ to fund the same project or facility.

**1.1 PURPOSE**

The AFFP is established under Texas Health & Safety Code (THSC) Chapter 393, authorizing the TCEQ to provide grants for eligible alternative fuel fueling facility projects in the Clean Transportation Zone. Further authority is contained in Texas Water Code, Chapter 5, Subchapter D, Section 5.124 (authority to award grants) and the Texas Water Code, Section 5.229, pertaining to the TCEQ's general authority to enter grants.

The purpose of this RFGA is to solicit applications for projects to be funded from the AFFP in Fiscal Year (FY) 2020.

**1.2 GOALS AND OBJECTIVES**

The statutory goal of the AFFP is to ensure that alternative fuel vehicles have access to fuel and to build the foundation for a self-sustaining market for alternative fuels in Texas. The program's objective is aimed at increasing the use of alternative fuels in the Clean Transportation Zone.

This program is part of the Texas Emissions Reduction Plan (TERP) established under THSC Chapter 386 and is funded from legislative appropriations to the TCEQ from the TERP Fund. The overall objectives of TERP include achieving reductions in nitrogen oxides (NO<sub>x</sub>) emissions and other pollutants of concern to assist areas to come into compliance or remain in compliance with the National Ambient Air Quality Standards under the Federal Clean Air Act.

To accomplish the statutory goals and objectives of the AFFP, the TCEQ is encouraging development of projects that will provide for strategically placed fueling facilities in the Clean Transportation Zone to enable an alternative fueled vehicle to travel in those areas solely on the alternative fuel.

Under this RFGA, the TCEQ will not direct where facilities should be located or establish a predefined requirement of how many stations should be located in a particular area. However, the TCEQ may limit the number of grants for facilities in a particular area or by type of facility to best meet the goals and objectives of the AFFP.

### **1.3 APPLICATION FORMS**

This RFGA, grant application forms, and sample draft TCEQ contract may be viewed and downloaded from the TCEQ web site at [www.terpgrants.org](http://www.terpgrants.org). The materials may also be obtained by calling the TERP hotline at 512-239-4950 or 1-800-919-TERP (8377).

To be eligible for funding consideration, grant applications must be prepared and submitted in accordance with this RFGA and the instructions included with the application form.

### **1.4 ELIGIBLE APPLICANTS AND AREAS**

#### ***1.4.1 Eligible Applicants***

Applicants must be eligible to conduct business in Texas. Eligible applicants include individuals, corporations, organizations, governments or governmental subdivisions or agencies, business trusts, partnerships, associations, or other legal entities.

Applicants must certify in the application that they comply with Federal and State laws, rules, guidelines, and requirements applicable to taxation of fuel provided by the applicant at each fueling facility owned or operated by the applicant.

The applicant must be the entity that will purchase and own the grant-funded equipment for the life of the grant. Entities leasing equipment or acting as a third party to purchase the equipment and then transfer ownership of the equipment to another entity are *not eligible* to apply for a grant.

An entity that purchases the equipment and leases it to another entity may establish eligibility provided that the grantee maintains ownership of the grant-funded equipment for the life of the grant. Applicants are not required to be the owner of the overall fueling facility provided that the applicant can demonstrate a binding commitment from the fueling facility owner to install and operate the grant-funded equipment at the site for the life of the 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 TERP staff early in the application process. Applicants must disclose known apparent, potential, or actual conflicts of interest to the TERP staff.

The TCEQ is not obligated to fund a project that was previously awarded a Clean Transportation Triangle (CTT) or AFFP grant. The TCEQ may consider, among other factors: (1) whether the previous grant was canceled before or after the issuance date

of this RFGA; (2) whether the previous grant was canceled by mutual agreement between the TCEQ and the grant recipient due to circumstances outside of the control of the grant recipient; and (3) if the award of a new grant for the project would be in the best interest of the program.

There is no limitation on the number of grants an eligible applicant may receive from this program for different locations.

#### ***1.4.2 Eligible Locations***

Eligible locations under the AFFP consist of 83 counties making up the Clean Transportation Zone. A map and list of the AFFP eligible counties are provided in Appendix A.

#### ***1.4.3 Eligible Facilities***

Stations funded by AFFP grants *must* be new facilities or, at a minimum, provide new services. Applicants must make it clear in their application what aspect of the proposed facility and services provided at the facility will be new. The TCEQ will consider on a case-by-case basis upgrades or expansions to existing facilities in order to provide a previously unavailable service provided that the new service can be shown to be consistent with the goals of the program. For example, LNG service at a current CNG station or fast fill fueling capacity enabling a previously private station to be publicly accessible. The TCEQ will review all application materials to determine whether the proposed station meets these requirements.

Projects that are open to the public will be considered for funding before private facilities. Public stations must be accessible and available for public use for a minimum of eight hours per day between the hours of 6:00 a.m. and 8:00 p.m., Monday through Friday. AFFP grantees whose projects are publicly available will be required to provide to the TCEQ written information on the days and hours that the grant-funded facility is available for public access and to update the agency on a regular basis regarding any changes to those hours of operation.

For gaseous fuels, the station should provide a fuel flow rate of at least three gasoline gallon equivalents (GGE) per minute in order to ensure that the fueling time is reasonable.

### **1.5 ELIGIBLE PROJECT CATEGORIES**

Eligible alternative fuels for AFFP applications are:

- compressed natural gas (CNG) projects;
- liquefied natural gas (LNG) projects;
- combined LNG and CNG projects;
- hydrogen;
- biodiesel\*;

- propane;
- electricity; and
- methanol (at least 85% by volume).

\*To be eligible for AFFP funding, biodiesel and biodiesel blends must meet the following criteria: (1) biodiesel must meet the definition for biodiesel as specified in Title 34, Texas Administrative Code (34 TAC), §3.443; and (2) biodiesel blends, as defined in 34 TAC §3.443, must be comprised of at least 20% biodiesel by volume (B20). B20 biodiesel blends must meet the American Society for Testing and Materials D7467 standards.

Eligible project categories for AFFP applications are:

- *construction of new facilities* dispensing eligible alternative fuels to vehicles and equipment in the Clean Transportation Zone, or
- *expansion of existing alternative or natural gas fueling facilities* currently located in the Clean Transportation Zone, dispensing natural gas or other alternative fuels to vehicles and equipment to provide new services or capabilities.

Applicants should make clear which project category they are applying under, but final determination of the most appropriate category is at the discretion of the TCEQ. Regardless of project category, the TCEQ may give preference to applications for stations:

- that will provide both LNG and CNG at a single location;
- located not more than one mile from an interstate highway system within the 83 eligible counties; or
- located inside the triangular area between the Houston, San Antonio, and Dallas-Fort Worth areas and in the area in and between the Corpus Christi, Laredo, and San Antonio areas.

## 1.6 ELIGIBLE ACTIVITIES AND COSTS

### 1.6.1 Maximum Award Amounts

- Grant amounts may not exceed:
  - \$400,000 for a CNG project or an LNG project;
  - \$600,000 for a combined CNG and LNG project; or
  - 50% of the total eligible costs with a maximum of \$600,000, for fuels other than natural gas.

If a project includes both natural gas and other eligible alternative fuel(s), the project would be funded based on the award amounts for a natural gas station.

For stations with existing CNG or LNG facilities that will be upgrading those facilities and/or adding facilities for another natural gas fuel, applicants should make clear what aspect of the facility will be new and apply under the category for the *new* aspect of the station. For example, an existing CNG facility that will be adding LNG fueling would qualify as an LNG project and thus be eligible for up to \$400,000 and *not* the \$600,000 grant level.

### ***1.6.2 Priority, Secondary, and Ineligible Budget Categories***

Applicants are required to organize project costs into three overall categories: Priority, Secondary, and Ineligible. Please review the descriptions of these categories in the next section. The TCEQ urges applicants to understand that project costs in the Priority Budget Categories are easier to assess and subsequently reimburse than costs in the Secondary Budget Categories.

TCEQ will follow this hierarchy when calculating and finalizing budgets for selected applicants. Additionally, the TCEQ asks that the applicant list costs that fall under the Ineligible Budget Categories so that the entire scope of the project at the proposed site may be understood and evaluated. Final contract budgets will identify categories for which TCEQ has approved reimbursement. Shifting reimbursement between budget categories during grant performance will require prior approval from TCEQ.

Eligible activities are those that are directly related to the implementation of the project. AFFP grants are to be used to offset a portion of the cost of installation of the natural gas and alternative fuel-dispensing equipment. Applications that include design, engineering, and permitting costs for facility improvements directly related to installation of the equipment will be considered on a case-by-case basis if the cost in the Equipment and/or Supplies and Materials categories alone will not expend the entire eligible grant amount.

#### ***1.6.2.1 Priority Budget Categories***

The TCEQ prefers to reimburse costs for equipment, supplies, and materials.

Priority budget categories cover:

- Equipment; and
  - Supplies and Materials.
- a. Equipment is defined as non-construction related, tangible personal property having a unit acquisition cost of \$5,000 or more (including sales tax and delivery) with an estimated useful life of over one year. The purchase of testing equipment will not be funded through this program. Equipment purchased with grant funds should be budgeted as Equipment if the sum of the separate component parts (including tax and delivery) has an original value of \$5,000 or more. An itemized invoice and proof of payment will be required for reimbursement of all equipment costs. Equipment costs that do not involve an arms-length transaction (e.g. use of inventory without a proof of purchase) are not reimbursable.

Eligible equipment costs for natural gas and alternative fuel dispensing equipment include natural gas and alternative fuel storage tanks, compressors, electrical infrastructure, and other equipment at the facility directly needed to store and dispense natural gas and/or eligible alternative fuels.

Eligible equipment-related costs include contractual costs and supplies and non-capital items necessary for the installation of the equipment.

- b. Supplies and Materials are defined as non-construction related costs for goods and materials having a unit acquisition cost (including sales tax and delivery) of less than \$5,000. Basic items such as telephones, tools (wrenches, screwdrivers, etc.), and office supplies are considered to be a cost of doing business and will not be funded. An itemized invoice and proof of payment will be required for reimbursement of all supplies and materials costs. Food and drinks are not reimbursable expenses.

### ***1.6.2.2 Secondary Budget Categories***

These categories cover Construction Expenses, Contractual Services, and Other Expenses. Eligible items in these categories will be considered only if all “Priority Budget Categories” costs will not exhaust the entire eligible grant amount.

- a. Construction expenses are defined as the costs for enhancement or building of permanent facilities. Construction costs can include: costs of planning, designing, and engineering; materials and labor connected with the construction; and any subcontracts including contracts for services in connection with the construction.

Eligible Construction Costs may include facility improvements, such as paving, foundations, covers and buildings, and similar improvements directly necessary to store and dispense natural gas or alternative fuel at the facility.

- b. Contractual expenses are defined as non-construction related costs for professional services or tasks provided by a firm or individual who is not employed by the applicant. Each subcontractor/consultant should be listed separately. Major subcontractors may need to submit a quote or itemized budget in support of the application budget. Eligible contractual costs include contractual and other costs including design, engineering, and permitting costs, excluding cost of permits issued by the TCEQ, for the installation of the grant-funded equipment.
- c. Other - Expenses not falling under the other cost definitions should be itemized in this category.
- d. An itemized invoice and proof of payment are required for each cost included in each of the three Secondary Budget Categories.

### ***1.6.2.3 Ineligible Budget Categories***

These categories are required to provide a full scope understanding of the entire project. However, costs in these categories are not eligible for reimbursement as part of the total eligible project cost.

Costs in these categories include:

- salaries and travel expenses for employees of the grantee;
- facility improvements and equipment not directly associated with the equipment to store, compress, or dispense the natural gas or alternative fuel;
- purchase of an existing natural gas or alternative fuel fueling station;
- facility, land, or an interest in land;
- permitting costs for TCEQ-issued permits;
- other administrative costs of the grantee, including overhead and indirect costs (e.g., office supplies, rent, marketing, and advertising); and
- food and drink.

All costs should be accounted for in the application and listed in the budget, closely following the instructions (see Section 2 of Appendix B). Applicants should make a clear distinction between total project costs and those that are eligible for reimbursement.

Any cost incurred (i.e., received and paid) *prior to the date of issuance of this RFGA* will not be eligible for funding, including the cost of preparation of the project application. The TCEQ provides no assurances that a project will be awarded a grant, and the TCEQ has no liability for expenses incurred by an applicant prior to the execution of a contract, unless and until those activities and expenses are selected for a grant and included under a signed contract.

TCEQ funds cannot be expended for food or lobbying purposes. As a result, no grant funds may be used to reimburse the salary of any lobbyist registered in the State of Texas. All grant funds must be expended in a manner consistent with all applicable cost principles from 30 TAC 14.10 and the Uniform Grant Management Standards (UGMS). The TCEQ encourages applicants to review the UGMS when developing application budgets.

If the applicant plans to subcontract any work, applicants are encouraged to identify activities that could be performed by Historically Underutilized Businesses (HUB). The TCEQ's HUB Development Section can assist applicants in identifying potential HUB subcontractors and can be contacted at 512-239-1273.

## **1.7 FACILITY OPERATION REQUIREMENTS**

AFFP grant recipients must meet the operational, maintenance, and reporting requirements specified by the TCEQ. Applicants must provide a comprehensive operations plan to maximize the likelihood that the grant funded station will remain in

operation in accordance with contract requirements. The operation plan should reflect the applicant's commitment to:

- ensure operation of the grant-funded facility and equipment in accordance with the terms of the contract for a period of at least three years;
- maintain grant-funded equipment in good operating condition for the operational commitment of three years;
- maintain a sufficient level of insurance to repair or replace the fueling and dispensing equipment as a result of damage or destruction; and
- submit annual reports to the TCEQ verifying continued operation and compliance with operational and maintenance requirements, including monitoring and reporting on the amount of natural gas and/or other alternative fuels dispensed over the reporting period.

Additionally, a grantee must proceed in good faith with all steps outlined in its application and take all other actions necessary to ensure successful completion of its project and subsequent operation of the grant funded facility.

In order to monitor the grantee's progress during the contract, the TCEQ will use quarterly implementation and annual operation progress reports to monitor a project's progress and may audit a grantee's progress at any time during the grant. Submission of these reports is material to the successful performance of the grant activities and failure to report may result in a request for a return of grant funds proportional to the length of time during which the grantee has not met the contractual reporting requirements.

If the TCEQ determines that a grantee is not making sufficient progress towards the goals of facility construction and operation, the TCEQ may require a revised implementation and/or operations plan to demonstrate achieving compliance with the grant requirements given the current circumstances of the project.

If, after reviewing the revised implementation and/or operations plan, the TCEQ determines in its reasonable judgment that project completion or continued operation is no longer likely, or the grantee so advises the TCEQ, then the TCEQ may invoke the contract's remedies, including termination of the contract and the return of grant funds.

## **1.8 MARKETABLE EMISSIONS REDUCTION CREDITS**

A project that would otherwise generate marketable credits under state or federal emissions reduction credit averaging, banking, or trading programs is not eligible for funding under this program unless:

- the project includes the transfer of the reductions that would otherwise be marketable credits to the state implementation plan, or to the project owner or operator as provided by THSC Section 386.056; and

- the reductions are permanently retired.

## **1.9 PROOF OF INSURANCE**

The applicant will be required to supply proof that it is insured for project completion, replacement, and liability for each facility funded under a grant from the TCEQ. Project completion/replacement insurance shall be sufficient to cover lost equipment and time/effort in case of a disaster. The sample draft contract shell contains examples of the types and amounts of insurance generally required for a project funded under the AFFP. These examples are given for illustrative purposes only and are not intended to list the final, comprehensive insurance requirements, which are subject to negotiation depending on the risk concerns of a specific project.

## **1.10 GRANT ADMINISTRATION AND REIMBURSEMENT OF EXPENSES**

- a. Entities selected to receive grant funding will be required to sign a contract with the TCEQ. All grant activities carried out under a contract awarded as a result of this RFGA must be completed within the scope, time frame, and funding limitations specified in the contract. A copy of the sample draft contract shell is available at [www.terpgrants.org](http://www.terpgrants.org). Section 2.0(d) of this RFGA addresses review of the contract.
- b. In order to ensure that all revenue received by the TCEQ for this program is used, the TCEQ may select projects and award contracts that may ultimately exceed the amount of revenue received. Contracts will include provisions regarding Limited Notice to Proceed (NTP) and Final NTP. Any expenses incurred by the grantee prior to receiving the Final NTP will be at the grantee's own risk.
- c. Payments will be made on a reimbursement basis for eligible expenses incurred by the grantee. There will be no pre-payment of expenses by the TCEQ. Requests for reimbursement may be submitted to the TCEQ no more frequently than monthly. Grantees will be required to provide documentation to show that equipment or services have been received and the expenses incurred before reimbursement is provided by the TCEQ. For a cost to have been incurred, the equipment or service must have been received and the cost must have been paid, unless otherwise approved and authorized by the TCEQ. The contract will also specify other requirements which must be met to document costs, including providing an itemized invoice and proof of payment.
- d. Reports on the progress of completing the project activities during the implementation stage will be required on a quarterly basis according to the TCEQ/TERP reporting format, or as specified by the contract, even if no expenses are submitted for reimbursement during that time. Reports may be posted to the TCEQ web site. Applicants must agree to notify the TCEQ of any material change in the project. Any issues that have been identified that may affect the budget, timeline, or commercial viability of the project should be brought to the attention of the Grant Manager as soon as possible.

- e. Activities funded under this RFGA must be completed by April 30, 2022, and all costs must be incurred by this date. The grantee must notify the TCEQ in writing if a project is expected to require a longer period of time to be completed as soon as the grantee becomes aware of the delay.
- f. The TCEQ will withhold 25% of the total grant amount until the station goes into service. This amount will be released for the final reimbursement of eligible expenses upon submission of the final implementation report. However, the TCEQ may, at its discretion, consider reimbursement of the total grant amount prior to the station opening, if it is clear that the project will be completed.
- g. The grantee must complete all implementation phase activities and obtain from the TCEQ final written approval/acceptance prior to payment of the final reimbursement request. All final requests for reimbursement must be submitted within 45 days of the expiration of the period of funds availability.

### **1.11 PERFORMANCE EVALUATION**

As deemed necessary by the TCEQ, the TCEQ may prepare written evaluations of the performance of the grant recipient. The performance evaluations may be prepared upon completion of all reimbursements, upon the completion of the operation phase, or as needed. The performance rating on contractor evaluations for a past grant may be considered by the TCEQ in evaluating an application from the grant recipient for funding under this program. A rating of marginal or unsatisfactory performance may be used as a basis to lower or otherwise change the priority and ranking of a future application. Any misuse of the grant funds will be reported as unsatisfactory performance and the grant recipient and contractors will be barred from receiving any other grants.

### **1.12 FUNDING**

The total amount to be awarded under this grant program is subject to the discretion of the TCEQ. The TCEQ will not be obligated to select project proposals to cover the full amount of available funding and reserves the right to cancel the RFGA without awarding any grant funds.

## **2.0 APPLICATION PROCESS**

All applications for funding must be administratively and technically complete, and must be submitted within the required deadline. Instructions for completing the application forms can be found in Appendix B of this RFGA, with additional instructions included on the application forms. Incomplete applications may delay the review process or be rejected as ineligible or unresponsive.

- a. **Required Forms.** Application forms and a copy of this RFGA including criteria on the activities eligible for funding under this program may be viewed and downloaded from the TCEQ web site at [www.terpgrants.org](http://www.terpgrants.org), or by contacting the TERP hotline at 512-239-4950 or 1-800-919-TERP (8377).

- b. Application Submission.** To apply for funding, applicants must complete and submit a grant application and required attachments (see Appendix B). Submit one paper copy and one electronic copy, via compact disc, in Microsoft Word and Excel, or Adobe PDF format to one of the addresses below. **Confidential information should not be submitted in electronic format.** Refer to Appendix B for additional guidance for submitting confidential information.

**Standard Mail:**

Texas Commission on Environmental Quality  
Air Grants Division  
Grant Development & Management Section (AFFP), MC-204  
P.O. Box 13087  
Austin, TX 78711-3087

**Express Mail or Hand Delivery:**

Texas Commission on Environmental Quality  
Air Grants Division  
Grant Development & Management Section (AFFP)  
12100 Park 35 Circle, Building F, 1<sup>st</sup> Floor, Suite 1301  
Austin, TX 78753

- c. Deadline for Official Receipt.** Proposals will be accepted for consideration during this RFGA only if received and date-stamped on the premises of TCEQ, TERP, Building F, room 1301, as directed herein by *no later than 5:00 p.m. Central Standard Time on March 18, 2020.*
- d. Review of Sample Contract.** A PDF reference copy of the draft AFFP contract shell is available on the TERP webpage at [www.terpgrants.org](http://www.terpgrants.org). The sample contract is for reference only and contains terms and conditions which are standard provisions for grants awarded in the AFFP Program. Applicants must identify in the application any concerns with terms and conditions in the sample draft contract. The TCEQ may agree to modify the terms and conditions of the contract under limited circumstances, but the TCEQ ***will not*** address concerns that are not identified in the grant application.
- e. Additional Program Information.** Individuals desiring further information are encouraged to call the TERP hotline at 512-239-4950 or 1-800-919-TERP (8377) or Ms. Gloria Lyall at 512-239-3602.
- f. Public Information.** Upon submission, all proposals become the property of the State of Texas and as such become subject to public disclosure under the Texas Public Information Act (PIA), Texas Government Code, Chapter 552. Any information the applicant wishes to protect from public disclosure *must* be clearly marked ***“Confidential/Proprietary: inform applicant & seek AG opinion before releasing”*** on every page and *must* be submitted in a separate envelope as an attachment to the application, according to Section 4 of the application instructions in Appendix B.

### 3.0 SELECTION CRITERIA

Projects at different locations must be submitted as separate applications.

### 3.1 SCORING CRITERIA

Proposals will be scored based on information provided in the AFFP application. The final score for each application will be derived from a review of all sections of the Application Form and required attachments with a maximum possible total score of 80 before any potential weighting factor percentage points are added for meeting program priorities. A total score of 128 is the maximum possible total score for an application after potential weighting factor percentage points are assigned for meeting program priorities.

#### *Program Priorities*

The following criteria are considered Program Priorities by the TCEQ. Applicants who meet the following criteria will have the relevant weighting factor(s) applied to their total score. The weighting factors in this section will be based on information provided on Application Form 4: Proposed Station Location and Service Capacity.

- a. **Multiple fuels (20%):** Applications for a facility that will provide both LNG and CNG at a single location will receive a weighting factor of 20% added to their total score.
- b. **Location within the Clean Transportation Zone (20%):** Applications for a facility located within the triangular area in and between the Houston, San Antonio, and Dallas-Fort Worth areas or in the area in and between the Corpus Christi, Laredo and San Antonio areas will receive a weighting factor of 20% added to their total score.
- c. **Proximity to an interstate highway (20%):** Applications for a facility located not more than one mile from an interstate highway will receive a weighting factor of 20% added to their total score.
- d. **Proximity to a US or state highway (10%):** Applications for a facility located within 1/2 mile of a US or state highway in the eligible areas will receive a weighting factor of 10% added to their total score. Applications meeting the criteria for “c” and “d” will have the higher weighting factor - “Proximity to an interstate highway (20%)” - applied to their total score.

Projects that are accessible and available to the public will be considered for funding before private stations. A facility is considered private if the general public's right to access may be constrained by reasonable time, place, barrier, or manner restrictions. For example, the parking lot of a commercial business not regularly visited by the general public would not be considered accessible and available to the public. A station is considered publicly available if it is in practice, freely used by the general public. Public stations must be open and accessible to the public for a minimum of eight hours per day, between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday.

### ***Proposed Station Location and Service Capacity (up to 40 points)***

Applications will be scored on how the location of the proposed project closes the existing infrastructure gaps along the interstate highways that make up the Clean Transportation Zone and throughout the 83 eligible counties. Scores may be assigned based on factors, including, but not limited to, the following:

- a. Proximity of the station to existing facilities (maximum of 20 points):** The farther a proposed station is from existing facilities with similar fuel capabilities and fuel type, the higher the score. This criterion addresses the need for strategically placed alternative fuel fueling stations to create a foundation for a self-sustaining market for alternative fuel vehicles in Texas.
- b. Distance from a highly traveled highway segment (maximum of 20 points):** The program is using the most recently available data collected by the Texas Department of Transportation to identify the density of traffic along segments of the interstate, US, and state highways in Texas. A station within 1/2 mile of the most heavily traveled traffic node in the area will receive the maximum number of points.

Scoring for this category may consider the fuel capacity of the proposed station relative to the traffic density of the area in which it is located.

### ***Project Goals and Objectives (up to 15 points)***

Applications will be scored based on how the project meets the program goals and objectives. This information should be provided as a detailed overview. Scores will be based in part on how well the applicant describes how the station would meet the goal of creating a self-sustaining market for alternative fuel vehicles, with specific technical information.

### ***Applicant Qualifications (up to 5 points)***

Scores will be assigned based on an assessment of the experience of the applicant in building, owning, and operating an alternative fuel fueling station. Educational background and business credentials for key personnel, including experience with similar projects and experience of major partners or subcontractors will also be considered.

### ***Project Feasibility (up to 20 points)***

Applications will be scored based on an assessment of the feasibility of the proposed project and how the proposed project will be completed in an effective and efficient manner. Evaluators will also assess the post-implementation operations plan for the station to determine how well the applicant prepares for successful operation of the station for the required three-year period.

- a. Market landscape:** Applicants will be asked to provide an assessment of the need for the station based on the current and expected number of vehicles and equipment that would be served by the station and the availability of other sources of alternative fuel in that area. Scores will be based on:

- a demonstration of the applicant's understanding of the area's market conditions and preparedness to meet those needs;
- the anticipated number of vehicles and equipment that will be served by the station including existing or expected fleet usage commitments; and
- how well the fueling capabilities of the station would meet the current and expected use of the station.

Letters of support for the proposed station by local governments, neighborhood associations, and other pertinent community groups and business may be provided to support the need for and potential use of the station.

**b. Site Plan:** Applicants will be asked to:

- demonstrate the accessibility of the station to the public, if applicable, including access points;
- provide information on property rights regarding the location of the proposed station; and
- demonstrate knowledge of local land use, zoning and permitting requirements, and the applicant's ability to meet these requirements.

**c. Operation Plan:** Applicants will be asked to:

- demonstrate the ease with which the public (if applicable) will be able to utilize the station and refuel in a reasonable timeframe;
- provide details of the method of fuel delivery; and
- communicate an effective and efficient operations plan.

### 3.2 ADDITIONAL SELECTION CRITERIA

In addition to the scoring criteria, other factors may be utilized to determine the AFFP grant selections.

- In order to adequately address the risks associated with a project, the TCEQ may determine minimum acceptable scores under each scoring category or factor. The TCEQ is not obligated to fund a project or may rank a project lower on the selection list based on the scores assigned to that project under a particular category or categories.
- Depending on the number of applications received, the location of the proposed facilities, and the scores assigned, the TCEQ may limit the number of grants awarded for fueling stations in a specific area.

- c. The TCEQ is not obligated to fund a proposal for a facility with a proposed location that will cause a negative impact on either access to or the air quality of a residential area or other area with a concentration of sensitive receptors such as schools or hospitals. The applicant will need to explain how the location and operations of the facility will meet these criteria. Letters of support for the proposed facility by local governments, neighborhood associations, and other pertinent groups may be provided to assist the TCEQ in assessing how the applicant has addressed these issues.
- d. If a decision is made to limit the number of facilities funded or prioritize placement of facilities in any area, the scores assigned to the projects may be used to determine which facility to fund. However, regardless of the scores and ranking assigned, the TCEQ may base funding decisions on other factors associated with best achieving the goals of the program. As part of this consideration, the TCEQ may give priority to projects in certain areas.
- e. The TCEQ may make selection for funding contingent upon agreement by the applicant with additional conditions or changes to the project pertaining to equipment, logistical considerations, expenses, and other program elements.
- f. The TCEQ may select parts of a proposal for funding and may offer to fund less than the eligible grant amounts and/or a smaller amount than requested in the application.
- g. Based on the number and types of applications received, the TCEQ may establish a cut-off level for grant selections that is less than the available funding, and projects may be offered a smaller amount of funding or may be held until a later date.
- h. The TCEQ is not obligated to fund a proposal from an applicant that has demonstrated marginal or unsatisfactory performance on current or previous grants and contracts with the TCEQ and other state agencies. Not meeting contractual commitments or being invoiced by the TCEQ for a past grant will be used as a basis to lower or otherwise change the priority and ranking of an application.
- i. The TCEQ is not obligated to fund a proposal from an applicant or for a project based on a determination of the risks associated with the applicant and/or project including the financial condition of the applicant and other risk factors as may be determined by the TCEQ. The TCEQ may also include additional controls in a contract to address the risks that may be involved with providing a grant to an applicant considered to be high risk.
- j. The TCEQ is not obligated to fund a proposal from an applicant that is under federal, state, or local enforcement action for violation of environmental laws or permit conditions.
- k. The TCEQ is not obligated to fund a proposal from an applicant with an overall compliance history classification of *Unsatisfactory* (greater than 55.00) on the TCEQ's Compliance History Database for applicants that are subject to the rating.

#### 4.0 APPLICATION REVIEW AND SELECTION PROCESS

- a. **Application Review.** The TCEQ will review the application's eligibility and completeness and may notify applicants of any needed changes or additional information. A grant application which is not substantially complete may be considered by the TCEQ to be non-responsive which may disqualify the applicant from receiving an award under this RFGA.
- b. **Grant Award and Contracting.** A TCEQ scoring committee will review and score all applications and send those scores and recommendations for awards to Executive Management.

Successful applicants will be notified of their selection and the amount of grant funds that may be awarded by phone or other means. At that time, the applicant will need to confirm with the TCEQ their intent to accept the grant. A contract will be developed and provided to the applicant to sign and return to the TCEQ. The letter accompanying the contract will specify the amount of time allowed for the prospective grantee to sign and return the contract to the TCEQ. Upon signature of the contract by the TCEQ, a copy of the signed contract will be returned to the applicant.

- c. **Notice to Proceed.** Signing the contract will not be the final commitment by the TCEQ to provide the funds. A subsequent "Notice to Proceed" may be issued to the grantee when sufficient funds become available. Any otherwise eligible expenses incurred prior to receipt of this notice will be at the grantee's own risk. The "Notice to Proceed" may also include authorization for a lesser reimbursement amount than originally approved in the contract, based on the amount of funds available. A Limited Notice to Proceed may be issued, with authorization for implementation and subsequent reimbursements contingent on receipt of proof of property rights and insurance in accordance with the contract.

#### 5.0 CONSIDERATION OF APPLICATION IN FUTURE GRANT ROUNDS

The TCEQ may, at its discretion, retain applications not selected for funding under this RFGA for consideration under a new RFGA issued for a future grant round. Applicants will be notified by the TCEQ if their application is retained for consideration under a future grant round and will be given the option of withdrawing their application from consideration.

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## Appendix B: Project Application Instructions

### Application Instructions

These instructions are designed to guide applicants in preparing their grant application to apply for grants from the Texas Commission on Environmental Quality (TCEQ) Alternative Fueling Facilities Program (AFFP). Upon submission, all proposals become the property of the State of Texas and as such become subject to public disclosure under the Texas Public Information Act (PIA), Texas Government Code Chapter 552.

The project eligibility criteria and types of purchases eligible under this program are more fully explained in the AFFP Request for Grant Applications (RFGA) which outlines the grant application deadlines and provides further instructions for applying for a grant. **Applicants should first review the RFGA before completing the application forms.**

*Grant applicants are required to respond to each and every section of Application Form 20606 following the directions herein and on the application forms. Applicants must also submit a completed W-9 form (Request for Taxpayer Identification Number and Certification Form) when submitting the application.*

**Do not submit any confidential/proprietary information anywhere with this Application, except as instructed in Section 4 of this Appendix. You must agree that you waive any claim of confidentiality you may have in any information submitted within any part of the Application Forms, including the budget, even if you have marked it confidential.**

Any information the applicant wishes to protect from public disclosure *must* be clearly marked ***Confidential/Proprietary: inform applicant & seek AG opinion before releasing*** on every page and *must* be submitted in a separate envelope as an attachment to the application, as instructed in Section 4 of this Appendix and nowhere else. Any information that is so marked and submitted as instructed in Section 4, if requested under the Public Information Act (PIA), will be sent by the TCEQ to the Texas Attorney General (AG) for a decision on whether it may be withheld. Note that the AG may determine that the information is not confidential and therefore must be released. The TCEQ will inform the applicant of the request for the AG's decision but will make no arguments in support of the request. It is the responsibility of the applicant to explain the basis for its claim that the information is confidential to the AG.

### Section 1: Application Forms 1 – 6

#### ***Applicant Information (Form 1)***

Section 2 - Select an Ownership Code (Business Type).

Section 3 and 4 - Provide contact information for the Authorized Official and Designated Project Representative.

Complete Application Forms 2 and 3 according to the instructions on the forms. Additional instructions for Application Forms 4-6 are outlined below.

#### ***Proposed Station Location and Service Capacity (Form 4)***

Section 1- Complete the section noting the location of the proposed fueling station, including county, street address, latitude, and longitude. Provide a photograph or map showing the proposed location of the facility.

Section 2 - Attach to the application a photograph, satellite map, or similar graphic of the proposed site on a scale sufficient to show roadway access and adjacent land use (required).

Section 3- Complete the section noting the applicable fuel storage capacity at the proposed station location and the on-site compressor/pump capacity (compression rate) of the facility.

Section 4- Complete the section by providing information regarding the fuel generation, service capacity and fill rate planned for the facility.

Section 5 - Complete the section by providing information about the electric charging stations to include the proposed charging outlets for each applicable service type.

#### ***Project Objective and Applicant Qualifications (Form 5)***

Section 1 - Describe the project's overall goals and objectives. If the project is for the expansion of an existing facility, state clearly the current facility capabilities versus the capabilities of the proposed expanded facility.

- Describe how the project meets the AFFP goal of increasing the use of alternative fuels in the air quality nonattainment areas of Texas.
- Describe how the project meets the program goal of providing sufficient infrastructure along the eligible highways for a self-sustaining market for alternative fuel vehicles. Attach additional pages as necessary.

Section 2 - Describe the applicant's experience in building, owning, and operating an alternative fuel station. Educational background and business credentials for key personnel, including experience with similar projects and experience of major partners or subcontractors may also be relevant. Attach additional pages as necessary.

#### ***Project Feasibility and Planning (Form 6)***

1. **Market Landscape** - Following the instructions on Form 6, describe the market or need for the station.
  - Discuss the expected throughput and/or charging capabilities.
  - Provide the expected number of vehicles and/or equipment that

would be served by the station (including the source of such estimates).

- Describe any existing or expected fleet usage commitments. You may attach any letters of support or commitment from fleets who intend to use the proposed station.
- Discuss the availability of other sources of the proposed fuel in the area, including information on the proximity to the nearest other facilities for providing the proposed fuel.

**2. Proposed Site Plan** - Following the instructions on Form 6, Section 2A, provide a detailed site plan showing the proposed facility site design, including access points.

- Describe the current stage of planning, highlighting any aspects of the design that are still pending and subject to change.
- Discuss all applicable land use requirements to be met and describe how these requirements will be met.
- In sections 2B and 2C, indicate the location's proximity to facilities that might be especially sensitive to project impacts as well as plans to mitigate those impacts.
- In sections 2D and 2E, provide information about property rights. If the applicant is the owner of the property, attach verification documentation. If the applicant is not the owner of the property, provide any existing or proposed agreements between the owner and the applicant.

**3. Proposed Operation Plan** - Provide a detailed operations plan for the new or expanded facility, including hours of operation, hours and type of public access (if applicable), parties responsible for operation, plans for safe public operation, and payment process. Discuss any plans for user training, including public users. The operations plan should explain how the proposed station will be or become a self-sustaining facility and, if applicable, include a marketing or advertising plan that seeks to increase the public use of the facility.

**4. Scope of Work** - Provide as an attachment a complete, detailed SOW for the project. The scope should include an introduction, project objectives, project schedule, and a work statement for each task under the project. The project should be broken down into a set of logical, specific tasks that are carried out sequentially or in parallel. Note any significant decision points and the standard for determining project continuation or termination at these points.

The work statement for each task should explicitly identify the following elements:

- a detailed description of the work to be carried out under the task, broken out into clear steps;
- the parties responsible for completing the task;
- the task completion date (i.e. the due date for deliverables); and

- the grant deliverables for each task.

The SOW must also include the preparation and submission of detailed quarterly progress reports during the implementation phase, a final implementation completion report, and annual operation reports for the duration of the grant.

The following SOW outline should be used. Additional instructions for using the SOW outline are listed below:

- Add any necessary tasks not included in the outline by copying the same format as the included tasks and placing the new task in roughly chronological order by start date.
- Begin each task with a brief (sentence or two) description of the overall goal of the task. Provide more specific details than just the task title.
- Describe each step necessary for all tasks. Try to include steps in chronological order by start date.
- Task deadlines should be timed from project start (e.g. 6 months from project start). It may be useful to include a start and end date for tasks. Only expenses incurred after the grant round opening date will be considered for reimbursement. See Section 2 for additional information regarding eligible expenses.
- Deliverables should include all significant results from the work detailed in that stage (e.g. approved permit, final site plan) and any reasonable documentation of the completion of that stage (e.g. pictures of the installed equipment).

## **SAMPLE SCOPE OF WORK OUTLINE**

### ***Implementation Phase***

#### ***Task 1: Secure rights to location***

*(Note that grantees will not receive a Notice to Proceed authorizing reimbursement of the grant funds until this task is completed).*

- A. Goal: Description of goal of this phase
- B. Steps: Detailed steps to be taken
  1. Step 1 description
  2. Step 2 description
  3. Etc.
- C. Deadline: Deadline for completion
- D. Deliverables: Deliverables for this task

#### ***Task 2: Finalize station engineering and architectural designs and secure all necessary permits***

- A. Goal: Description of goal of this phase
- B. Steps: Detailed steps to be taken
  1. Step 1 description

- 2. Step 2 description
- 3. Etc.
- C. Deadline: Deadline for completion
- D. Deliverables: Deliverables for this task

***Task 3: Purchase equipment***

- A. Goal: Description of goal of this phase
- B. Steps: Detailed steps to be taken
  - 1. Step 1 description
  - 2. Step 2 description
  - 3. Etc.
- C. Deadline: Deadline for completion
- D. Deliverables: Deliverables for this task

***Task 4: Construction in preparation for fueling/charging equipment installation***

- A. Goal: Description of goal of this phase
- B. Steps: Detailed steps to be taken
  - 1. Step 1 description
  - 2. Step 2 description
  - 3. Etc.
- C. Deadline: Deadline for completion
- D. Deliverables: Deliverables for this task

***Task 5: Installation of equipment***

- A. Goal: Description of goal of this phase
- B. Steps: Detailed steps to be taken
  - 1. Step 1 description
  - 2. Step 2 description
  - 3. Etc.
- C. Deadline: Deadline for completion
- D. Deliverables: Deliverables for this task

***Task 6: Final construction post fueling/charging equipment installation***

- A. Goal: Description of goal of this phase
- B. Steps: Detailed steps to be taken
  - 1. Step 1 description
  - 2. Step 2 description
  - 3. Etc.
- C. Deadline: Deadline for completion
- D. Deliverables: Deliverables for this task

***Task 7: Obtain all necessary licenses to legally operate in Texas (if applicable)***

- A. Goal: Description of goal of this phase
- B. Steps: Detailed steps to be taken
  - 1. Step 1 description
  - 2. Step 2 description
  - 3. Etc.

- C. Deadline: Deadline for completion
- D. Deliverables: Deliverables for this task

***Task 8: Open fueling/charging station (to the public if applicable)***

- A. Goal: Description of goal of this phase
- B. Steps: Detailed steps to be taken
  - 1. Step 1 description
  - 2. Step 2 description
  - 3. Etc.
- C. Deadline: Deadline for completion
- D. Deliverables: Deliverables for this task, including a final implementation completion report

***Task 9: Reporting***

- A. Goal: The PERFORMING PARTY will prepare and submit quarterly detailed project reports and a final report while ensuring compliance with all TCEQ program requirements.
- B. Steps: Detailed steps to be taken
  - 1. Coordinate all project resources to ensure compliance with program requirements while providing deliverables on-schedule and on-budget.
  - 2. Generate quarterly progress reports and a final report verifying final completion of the facility, including a copy of the dealer license issued by the State of Texas.
- C. Deadline: Submit quarterly reports to the TCEQ on December 15th, March 15th, June 15th, and September 15th of each year of the Implementation Phase of the contract.
- D. Deliverables: The PERFORMING PARTY shall submit quarterly progress reports and a final implementation report with associated billing statements to the TCEQ upon completion of this task.
- E. Operation Phase Timeline and Contract Expiration: If grantee will be unable to complete the required three-year Operation Phase period before the Expiration Date of the contract, then the grantee must request a contract amendment to extend the expiration date.

***Operation Phase***

***Task 10: Operate station for at least a three-year period***

- A. Goal: The PERFORMING PARTY will operate the station for at least a three-year period and report to the TCEQ on the status of station operation.
- B. Steps: Detailed steps to be taken:
  - 1. Ensure that the station is operating and if open to the public, accessible and available for public use for a minimum of at least eight hours per day between the hours of 6:00 a.m. and 8:00 p.m., Monday through Friday.

2. If open to the public, ensure that if requiring the public to register to establish an account to use the facility then that registration process must be available during the required access hours and must be immediately implementable with no requirements for a waiting period prior to using the facility.
  3. If the station is open to the public, provide the TCEQ written information on the days and hours that the grant funded facility is available for public access and update the agency on a regular basis regarding any changes to those hours of operation.
  4. If the station is open to the public, publicly post information on the days and hours that the grant funded facility is available for public access at the facility and update the posting in the event of any changes to those hours of operation.
  5. For applicable fuel types, comply with all Texas Comptroller's Office laws and regulations regarding the collection of liquefied gas taxes. For more information, go to <<https://comptroller.texas.gov/taxes/natural-gas>>.
  6. Using reporting forms supplied by the TCEQ, report to the TCEQ annually on the status of the station operation including actual usage and/or fuel throughput.
- C. Notify the TCEQ promptly in the event of any problems with or threats to station operation in compliance with the contract and take prompt remedial action to address any such problems or threats and report to the TCEQ on the status of such actions. Deadline: Three years from the completion of the implementation phase.
- D. Deliverables: Annual operation status reports and final operations report.
5. **Timeline** - Provide a Gantt chart or other timeline of all major project milestones and deliverables. For the purposes of this application, all grant-funded work (i.e., the implementation phase) must be completed by April 30, 2022. The proposed timeline should allow adequate flexibility for meeting this deadline given any possible delays. Applicants should be prepared to begin work soon after notification of award and contract execution, however the timeline for the proposed grant-funded work should begin no sooner than three months after the close of the RFGA. The timeline should end three years after the implementation completion date, or no later than August 31, 2025.

## **Section 2: Budget Categories and Project Budget Summary – Forms 7 – 8**

Include detailed information about both costs budgeted for TCEQ reimbursement with grant funds and the projected total cost of the project including all funding sources. Costs should be broken down so that partial funding could be considered for any grant. ***Detailed information about all***

***grant funded expenses is particularly important, including clear categorization and itemization of all grant expenses under the budget categories below.***

The budget for the projected total costs is required to provide the TCEQ with a clear picture of the overall project scope at the proposed site. The budget for the projected total costs is not required to be as detailed as the budget for costs eligible for grant funds. However, at a minimum, total expenses for each budget category below should be provided with projected itemized expenses provided when known. Clearly identify what project costs will be funded by partners, if applicable. A supplemental budget for major subcontractors can also be included. This is particularly recommended for projects in which the subcontractor will be completing a major portion of the proposed grant funded work.

The project budget cannot be held confidential for any reason. Applicants may supply supporting documentation for the budget that details confidential information, for example salaries or benefits for specific employees, but the overall budget must provide sufficient detail to demonstrate the eligibility of expenses and allow for clear connections to the supporting documentation for reimbursement.

Final budgets in the contracts will identify categories for which TCEQ has approved reimbursement.

1. Be sure to differentiate clearly between proposed grant costs and project costs funded by other sources, including naming which specific items in the budget will be covered by grant funds.
2. Describe the proposed method of funding and or financing for the non-grant funded station construction costs and the operation of the facility. Identify any expected tax credits or other funding sources, including other grants.

### ***Budget Categories***

The TCEQ requires applicants to organize project costs into three overall categories: Priority, Secondary, and Ineligible. Refer to section 1.6.2.1 of this RFGA for descriptions of these categories. The TCEQ prefers to reimburse costs that fall under the Priority budget categories (Equipment, Supplies and Materials). Shifting reimbursement between budget categories during grant performance will require prior approval from TCEQ.

**PRIORITY Budget Categories: The following types of costs fall under the Priority Budget Categories.**

- **Equipment:** Equipment is defined as non-construction related, tangible personal property having a unit acquisition cost of \$5,000 or more (including sales tax and delivery) with an estimated useful life of over one year. Equipment constructed with grant funds should be budgeted as Equipment if the sum of the separate component parts (including tax

and delivery) has an original value of \$5,000 or more.

For the purposes of AFFP grants, natural gas and alternative fuel dispensing equipment (including storage tanks, compressors, charging stations, electrical infrastructure, and other equipment at the facility directly needed to store and dispense natural gas and alternative fuels) should be budgeted as Equipment. Eligible equipment-related costs include contractual costs, supplies, and non-capital items necessary for the installation of the equipment.

An itemized invoice and proof of payment will be required for reimbursement of all equipment costs. Equipment costs that do not involve an arms-length transaction (e.g. use of inventory without a proof of purchase) are not reimbursable.

- **Supplies & Materials:** Supplies & Materials are defined as non-construction related costs for goods and materials having a unit acquisition cost (including sales tax and delivery) of less than \$5,000. Basic items such as telephones, tools (wrenches, screwdrivers, etc.), office supplies, etc., are considered to be a cost of doing business and will not be funded. An itemized invoice and proof of payment will be required for reimbursement of all supplies and materials costs.

**SECONDARY Budget Categories: The following types of costs fall under the Secondary Budget Categories.**

- **Construction:** Construction expenses are defined as the costs for enhancement or building of permanent facilities. Construction costs can include: costs of planning, designing, and engineering; materials and labor connected with the construction; and any subcontracts including contracts for services in connection with the construction.
- **Contractual:** Contractual expenses are defined as non-construction related costs for professional services or tasks provided by a firm or individual who is not employed by the applicant. Each subcontractor/consultant should be listed separately. Major subcontractors may need to submit a quote or itemized budget in support of the application budget.
- **Other:** Other expenses not falling under the other cost definitions should be itemized in this category. The TCEQ cannot reimburse for food or drink as 'Other.' Overhead expenses such as rent and utilities fall under Indirect Costs and are ineligible for reimbursement with AFFP grant funds.

**INELIGIBLE Budget Category: The following types of costs are not eligible for reimbursement as part of the total eligible project cost and must be listed in the Ineligible Expenses section of Application Form 20606.**

- **Salaries:** This category includes the cost of all salaries for employees of

the applicant to be funded under the grant. ***No Salary costs are eligible for reimbursement with AFFP grant funds.***

- **Fringe Benefits:** This category includes costs for fringe benefits for employees of the applicant to be funded under the grant. ***No Fringe costs are eligible for reimbursement with AFFP grant funds.***
- **Travel:** This category includes the cost of all travel by employees of the applicant to be funded under the grant. ***No Travel costs are eligible for reimbursement with AFFP grant funds.***
- **Indirect Costs:** Indirect costs include overhead, rent, utilities, general and administrative expenses (G&A), general office supplies, and other costs not directly attributable to the grant funded work, including facility improvements and equipment not directly associated with the equipment to store, compress, or dispense the natural gas or alternative fuel. ***No indirect costs are eligible for reimbursement with AFFP grant funds.***
- **Other costs:** Include but are not limited to purchase of an existing natural gas or alternative fuel fueling station; facility, land or an interest in land; permitting costs for TCEQ-issued permits; and food and drink.

### **Section 3: Application Forms 9 – 10**

#### ***Summary Page (Form 9)***

Complete the Applicant Information, including a brief summary of the project. The Authorized Official must sign and date this page.

#### ***Required Attachments Checklist (Form 10)***

Use this checklist to ensure all required attachments are included with the application.

### **Section 4: Confidential Information Directions**

#### ***Confidential Information***

Any information the applicant wishes to protect from public disclosure **MUST** be submitted clearly marked - ***Confidential/Proprietary: inform applicant & seek AG opinion before releasing*** - on *every* page and **MUST** be submitted in a separate envelope as an attachment to the application and nowhere else. Any information that is so marked and submitted, if requested under a public information request, will be sent by the TCEQ to the Texas Attorney General (AG) for a decision on whether it may be withheld. Note that the AG may determine that the information is not confidential and therefore must be released. The TCEQ will inform the applicant of the request for the AG's decision but will make no arguments in support of the request. It is the responsibility of the applicant to explain the basis for its claim that the information is confidential to the AG.