

# Emissions Reduction Incentive Grant Project Application Form

TCEQ-10430

Version 17.01



1. Applications with altered language or forms will be void.
2. The maximum cost per ton for different types of projects is as follows: \$10,000 for marine and locomotive projects and \$15,000 for non-road equipment, on-road vehicles, and stationary equipment projects. Applications are selected for funding on a competitive basis and projects with a lower cost per ton may have a greater chance of selection.
3. Applications may not contain activities from more than one type of emissions source (on-road, non-road, marine, locomotive, or stationary). Separate applications are required for each type of emissions source activity.

## 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)

**Victoria Area** (Victoria County)

## Application Deadline:

ERIG applications will be accepted until 5 p.m. Central Time on January 10, 2017, unless extended to a later date by the Texas Commission on Environmental Quality (TCEQ).



TCEQ USE ONLY  
Application #

TCEQ USE ONLY  
Contract #

**Texas Commission on Environmental Quality (TCEQ)  
Texas Emissions Reduction Plan (TERP)  
Emissions Reduction Incentive Grant Application  
Form 1: Signature Page**

**1. Applicant/Company Legal Name:**  
(Applicant/Company Legal Name for Contracting Purposes)

**2. Primary Area for the Project: Please only check one.**

<b>Austin Area</b> (Bastrop, Caldwell, Hays, Travis, and Williamson Counties):	<input type="checkbox"/>
<b>Beaumont-Port Arthur Area</b> (Hardin, Jefferson, and Orange Counties):	<input type="checkbox"/>
<b>Corpus Christi Area</b> (Nueces and San Patricio Counties):	<input type="checkbox"/>
<b>Dallas-Fort Worth Area</b> (Collin, Dallas, Denton, Ellis, Henderson, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties):	<input type="checkbox"/>
<b>El Paso Area</b> (El Paso County):	<input type="checkbox"/>
<b>Houston-Galveston-Brazoria Area</b> (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties):	<input type="checkbox"/>
<b>San Antonio Area</b> (Bexar, Comal, Guadalupe, and Wilson Counties):	<input type="checkbox"/>
<b>Tyler-Longview Area</b> (Gregg, Harrison, Rusk, Smith, and Upshur Counties):	<input type="checkbox"/>
<b>Victoria Area</b> (Victoria County):	<input type="checkbox"/>

**3. Authorized Official: Applicant or an employee of the applicant authorized to apply for the grant.**

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. If the application was prepared by a third party, I certify that I have read the complete application after all forms and information were completed, I agree with the information provided, and the date provided below is the date I signed the form. I further understand that prior to incorporating this information into a grant contract the data and information may be revised by the TCEQ for accuracy and that the acceptance of a grant contract will constitute agreement with those revisions. Failure to sign the application or signing it with a false statement may make the submitted offer or any resulting contracts voidable.

<b>Signature of Authorized Official:</b>	
<i>PLEASE SIGN IN BLUE INK. Faxed or photocopied signature pages will not be accepted. The application, with an original signature, must be received by the application deadline or the application will not be accepted.</i>	
<b>Printed Name of Authorized Official:</b>	
<b>Authorized Official's Title:</b>	
<b>Date of Signature (must be the date the form was signed in blue ink):</b>	

**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.**

If you have questions on how to fill out this form or about the Texas Emissions Reduction Plan (TERP) 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 Public Information Act, V.T.C.S. art. 6252-17a.

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

Do NOT alter forms. Altered forms will be void.

**This form is only valid for the application period ending January 10, 2017.**

# Emissions Reduction Incentive Grant Application

## Form 2: Third-Party Preparer Signature Page

Was this application prepared by a third party, including a consultant, dealer, or other person not employed by the applicant? (Mark the appropriate box with an X.)

Yes:		No:	
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If "yes" then the preparer must complete and sign below.

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.

<b>Signature of Third-Party Preparer:</b> <small>(Please sign and date in BLUE ink)</small>	
<b>Printed Name (include Mr. or Ms.):</b>	
<b>Title:</b>	
<b>Company Name:</b>	
<b>Address:</b> <small>(Address, City, State, Zip Code)</small>	
<b>Phone Number:</b>	
<b>E-Mail Address:</b>	
<b>Date of Signature:</b>	

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.

# Emissions Reduction Incentive Grant Application

## Form 3: Supplemental Activity Information

**1. Supplemental Activity Application Forms Attached.** (Mark with an X for each form attached.)

<b>New Purchase/Lease, Replacement, Repower, Retrofit, Add-on Technology Projects</b> (Only one source allowed.)	
New Purchase or Lease (Fleet Expansion) (Form 10430a):	
Replacement (Form 10430b):	
Repower (Form 10430c):	
Retrofit or Add-on Technology (Form 10430d):	
<b>Infrastructure Projects</b> (The following may be combined with the sources listed above if applicable.)	
On-Vehicle Electrification & Idle Reduction (Form 10430e):	
Refueling Infrastructure (Form 10430f):	
On-Site Electrification & Idle Reduction Infrastructure (Form 10430g):	
Rail Relocation and Improvement (Form 10430h):	

**2. Total Number of Activities.**

	<b>Total Number of Activities:</b> (Total number of activities included in this application)	
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**3. Project Grant Amount.**

<p><b>Total Incremental Cost of the Project:</b> (total of the incremental costs for all activities, minus the scrappage value) (refer to the financial data sheet in TCEQ Supplemental Application Forms 10430a – 10430h)</p>	
<p><b>Total Grant Amount Requested:</b> (total amount requested for all activities) Grant amounts may be taxable. Consult your tax professional.</p>	

**4. Small Business.**

Is the Applicant a business that owns and operates no more than two on-road or non-road vehicles/pieces of equipment, at least one of which is a heavy-duty diesel? (For tracking purposes only.)

No:		Yes:	
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**5. Waivers.** If the applicant requests consideration of a waiver to the requirements outlined in the RFGA, proceed to answer the questions below.

**A. Have you submitted a waiver request prior to submitting the application?** (Mark the appropriate box with an X.)

No:		Yes:	
If Yes, type the waiver number assigned by TCEQ (if known):			

**B. Are you submitting a waiver request with the application?** (Mark the appropriate box with an X.)

No:		Yes:	
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If YES, attach a written waiver request in accordance with the instructions in Appendix F, of the RFGA.

# Emissions Reduction Incentive Grant Application

## Form 4: Contact Information

**1. Authorized Official:** Applicant or an employee of the applicant authorized to apply for the grant.

**Name and Title:**

Prefix:		First:		MI:		Last:		Suffix:	
Title:									

**Mailing Address: (For delivery of USPS Mail)**

Street Line 1:									
Street Line 2:									
City:		State:		Zip code:					

**Physical Address: (For overnight delivery of legal documents)**

Street Line 1:									
Street Line 2:									
City:		State:		Zip code:					

Primary Phone:		Secondary Phone:	
Fax Number:		E-Mail Address:	

**2. Designated Project Representative:** Mark the box with an X if the Designated Project Representative is the same as Authorized Official.  
 Note: if they are the same, you do not need to complete the Designated Project Representative information.

**Name and Title:**

Prefix:		First:		MI:		Last:		Suffix:	
Title:									

**Mailing Address: (For delivery of USPS Mail)**

Street Line 1:									
Street Line 2:									
City:		State:		Zip code:					

**Physical Address: (For overnight delivery of legal documents)**

Street Line 1:									
Street Line 2:									
City:		State:		Zip code:					

Primary Phone:		Secondary Phone:	
Fax Number:		E-Mail Address:	

**3. Designated Location for Records Access and Review by the TCEQ or its Representative:**  
 (Must be a Physical Address)

Street Line 1:									
Street Line 2:									
City:		State:		Zip code:					

## **Emissions Reduction Incentive Grant Application**

### **Form 5: Program-Specific Certifications**

By signing this application, the applicant indicates its understanding of and agreement to adhere to the identified program-specific requirements.

The applicant hereby assures and certifies compliance with all state statutes, regulations, policies, guidelines, and requirements as they relate to the application, acceptance, and use of funds for this project. The applicant further understands, assures, and/or certifies to the conditions listed below.

- 1.** To the best of its knowledge, the proposed activities are not required by any state or federal law, rule, or regulation, memorandum of agreement, or other legally binding document.
- 2.** It understands that any marketable credits under state or federal emissions reduction credit averaging, banking, or trading programs, that may be generated by the proposed activities, are transferred to the state implementation plan or permanently retired, and may not be used by the applicant. If the project is funded, the applicant waives, for all time, its right to claim emissions reduction credits which may accrue during the activity life as a result of the use of the low-emission technology which is funded under this program, and agrees not to apply for any such credits based on reductions generated in the eligible counties. Credits that accrue after the end of the activity life are not transferred, but may not be used to calculate the cost-effectiveness of the project.
- 3.** All public financial incentives that will be used by the applicant that directly offset the costs of the proposed activities, including tax credits or deductions, other grants, or any other public financial assistance have been properly listed where indicated on the application forms and the incentive amounts requested reflect a reduction in the eligible incremental costs based on the value of those incentives.
- 4.** It understands that failure to achieve the NO<sub>x</sub> emissions reductions projected to be achieved for this project may result in the TCEQ requiring the return of all or a share of the grant funds. Achievement of the emission reductions will be based on the grant equipment being used for the annual amount of hours, miles, or fuel use that occurs in the eligible counties, as designated in the application for that activity.
- 5.** It understands that failure to operate the grant equipment for the annual usage and percentage of annual use in the eligible counties as designated in the application may be considered non-compliance with the grant agreement and may result in the TCEQ requiring return of all or a share of the grant funds.
- 6.** It will monitor the use of grant-funded vehicles, equipment, or infrastructure, and report semi-annually to the TCEQ over the designated activity life. If a TCEQ-approved GPS system is installed, it agrees to maintain and use that system and to verify the data reported in accordance with the provisions of the grant contract.
- 7.** It will notify the TCEQ of any termination of use, change in use, sale, transfer, or destruction of grant-funded vehicles or equipment, during the activity life. It further agrees that, during the activity life, the TCEQ may be entitled to the return of all or a share of the grant funds for any loss of emissions reductions compared with the emissions reductions projected in awarding the grant.
- 8.** It will maintain, for the term of the activity, property loss insurance or self-insurance coverage on any vehicles, equipment, or infrastructure acquired, leased, repowered, retrofitted, or constructed using these funds, sufficient to cover the costs of reimbursing the state for its pro rata share of the activity costs.

## Emissions Reduction Incentive Grant Application

### Form 6: General Certifications (Page 1)

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. TCEQ urges applicants to download a copy of the example grant contract from [www.terpgrants.org](http://www.terpgrants.org) and review it so that any questions can be discussed early in the application review process. 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 June 2004 by the Texas Comptroller of Public Accounts in accordance with Chapter 783, Texas Government Code. This document is available at: <http://www.window.state.tx.us/procurement/catrad/ugms.pdf>

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 Request for Grant Applications 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 2262.154 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 has 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.

*Continued on next page*

## Emissions Reduction Incentive Grant Application

### Form 6: General Certifications (Page 2)

**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](http://www.terpgrants.org). It further understands that the TCEQ will not normally change the contract language to deal with individual requests from grant recipients.

**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 applicant 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 RFGA may be terminated and payment withheld if this certification is inaccurate.

**14.** The applicant has not been adjudicated during the preceding three-year period to have committed substantive, non-clerical violations resulting in an actual release of hazardous waste that presented an imminent and substantial danger to the public health and safety or the environment.

**15.** Applicant, nor any of its officers, have been adjudicated by a court of law to have violated the Texas Deceptive Trade Practices Act.

**16.** If any of these certifications change between submittal of the Application and award of a contract or cancellation of the Solicitation, you will promptly notify TCEQ.

**Emission Reduction Incentive Grant Application  
Form 7: Payee Information**

**1. Buyer/Lessee Legal Name:** (Applicant/Company Legal Name)

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

**Provide one of the following numbers. Do not complete both A and B.**

A. Social Security Number (SSN): (Only complete if you are applying as an individual or Sole Proprietor.)

B. Federal Employer's Identification (FEI) Number: (Only complete if you are applying as a company or other entity, including DBA's.)

**3. Mark the box with an X, if the applicant is currently reporting any Texas tax to the Comptroller's Office other than unemployment (e.g., sales tax, franchise tax).**

If the applicant is currently reporting any Texas tax to the Comptroller's Office other than unemployment (e.g., sales tax, franchise tax) please enter in the Texas Taxpayer Number.

**4. Ownership Codes:** Mark with an X, only one (1) ownership type that applies to this application and matches the legal name of the buyer or lessee.

I - Individual Recipient (not owning a business):

L - Limited Partnership:

S - Sole Ownership (individual owning a business):

Texas File #:

Owner's Name:

T - Texas or Limited Liability Corporation:

Owner's SSN:

Texas Charter #:

P - Partnership:

A - Professional Association:

Name:

Texas Charter #:

SSN/FEI#:

C - Professional Corporation:

Name:

Texas Charter #:

SSN/FEI#:

O - Out-of-State Corporation:

G - Governmental Entity:

U - State Agency/University:

N - Other (explain):

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

**Emissions Reduction Incentive Grant Application**  
**Form 8: Certification of Eligibility to Receive a State-Funded Grant**

All applicants must complete this form to certify eligibility to receive a rebate under this program, regardless if child support obligations apply to the applicant. Failure to submit this form may result in rejection of the application.

**Certification Regarding Child Support Obligations**

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% 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% of the business entity submitting the application.

*Please check one of the following applicant options.*

1. Individual or sole proprietorship.	<input type="checkbox"/>
2. One or more individuals own 25% or more of the business entity.	<input type="checkbox"/>
3. No individual owns 25% or more of the business entity.	<input type="checkbox"/>
4. Governmental entity.	<input type="checkbox"/>

If option 1 or 2 is checked, list the name(s) and social security number(s) (SSN) below.

Name:		SSN:	

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.

**Signature of Authorized Official:**

(Please sign and date in BLUE ink)

**Date:**
