

# Rebate Grants Program

## Project Application Form

TCEQ-20332a

Solicitation No. 582-20-14094



**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

**Eligible Applicants:** Eligible applicants include individuals, corporations, organizations, governments or governmental subdivisions or agencies, business trusts, partnerships, associations, or any other legal entity. This may include a corporation headquartered outside of the state of Texas, but which operates equipment primarily in an eligible county in Texas. The applicant must have owned the equipment for two years immediately preceding the application signature date.

**Eligible Activities:** Eligible projects include the replacement or repower of on-road heavy-duty diesel equipment and select non-road heavy-duty diesel equipment with newer vehicles or equipment powered by diesel, natural gas, propane, or electricity. The replacement equipment must be certified to emit at least 25% less NO<sub>x</sub> than the equipment being replaced. Refer to the tables provided on the Rebate Grants program webpage for a list of on-road equipment weight categories and types of non-road equipment eligible for funding.

**Application Deadline:** Applications will be accepted on a first-come, first-served basis through mail delivery or via electronic mail to [TERP@tceq.texas.gov](mailto:TERP@tceq.texas.gov), no later than **5:00 p.m. on November 12, 2020**. Only one vehicle or piece of equipment is allowed per application.

### Regular Post Delivery

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



### Express Delivery

Texas Commission on Environmental Quality  
Air Grants Division  
Rebate, MC-204  
12100 Park 35 Circle  
Building F, 1st Floor, Room 1301  
Austin, Texas 78753

# Form 1: Applicant Information

## 1. Applicant Legal Name

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## 2. Business Information

Ownership Code (Business Type):	
Payee Identification Number (FEI or SSN):	
Does the applicant meet the TERP Small Business definition? (see RFGA)	

## 3. Authorized Official

The applicant or an employee who has legal authority to sign for and speak on behalf of the entity.

Prefix		First		MI		Last		Suffix	
Title									
Primary Phone				Secondary Phone					
Fax Number				E-mail Address					
Mailing Address									
City				State			Zip Code		
Check here if the physical address is the same as the mailing address.									
Physical Address									
City				State			Zip Code		

## 4. Designated Project Representative

The applicant or an employee who will serve as the point of contact for this application.

Check here if the Designated Project Representative is the same as the Authorized Official										
Prefix		First		MI		Last		Suffix		
Title										
Primary Phone				Secondary Phone						
Fax Number				E-mail Address						
Mailing Address										
City				State			Zip Code			
Check here if the physical address is the same as the mailing address.										
Physical Address										
City				State			Zip Code			

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

Please provide the physical address where records relating to this project may be accessed and reviewed.

Physical Address									
City				State			Zip Code		

## Form 2: Third-Party Preparer Signature Page

1. Was this application prepared by a third-party?  Yes  No

A third-party preparer is someone who assists with the preparation of the grant application, but who is not related to or a current employee of the applicant.

### 2. Third-Party Preparer Certification.

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.

### Third-Party Preparer Information.

<b>Printed Name:</b>	
<b>Title:</b>	
<b>Company Name:</b>	
<b>Street Address:</b>	
<b>City, State, Zip Code:</b>	
<b>Phone Number:</b>	
<b>Email Address:</b>	
<b>Signature:</b>	
<b>Date of Signature:</b>	

## Form 3: Program Certifications.

This section serves to assure the TCEQ that you understand and agree to the statements below. These provisions relate to the basic contract document 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, you understand and certify compliance with all the statements below, as well as with any state statutes, regulations, policies, guidelines, and requirements as they relate to the application, acceptance, and use of funds for this project. **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.**

### Equipment and Activity Certifications

- 1. Ownership.** The equipment has been continuously owned by the applicant for the two years immediately preceding the application signature date. For on-road vehicles, the applicant has been listed on the front of the title document for the two years immediately preceding the application signature date.
- 2. Operation & Registration.** The equipment has been continuously located and used in Texas for the two years immediately preceding the application signature date. In addition, on-road vehicles have been continuously registered for operation in Texas for the two years immediately preceding the application signature date. Applicants with apportioned vehicles must submit quarterly usage summaries that include accurate dates and miles driven in each registered state.
- 3. Condition.** The equipment is currently in good operating condition and capable of performing its primary function in the routine operations of the applicant at the time of signature. To the best of the applicant's knowledge, the equipment is capable of continuing to perform its primary function for the duration of the Activity Life, taking into account normal maintenance, repairs, and upkeep.
- 4. Continued Operation and Use.** If the grant funds were not available, the applicant expects to otherwise continue to operate the equipment in Texas for at least the duration of the Activity Life and the applicant otherwise would not have planned to replace the equipment.
- 5. Destruction.** The applicant has the legal authority to complete the approved method of destruction (disposition) of the equipment or engine being replaced. In general, the old equipment, including the engine, must be rendered permanently inoperable within 90 days of receiving financial reimbursement.
- 6. Not Otherwise Required.** To the best of the applicant's knowledge, the proposed activities are not required by any state or federal law, rule or regulation, memorandum of agreement, or other legally binding contract.
- 7. No Emissions Reductions Credits.** Activities funded under this program are not eligible to generate marketable credits under state or federal emissions reduction credit averaging, banking, or trading programs. If the project is funded, the applicant waives, for all time, its right to claim or apply for any emissions reduction credits from the use of the low-emission technology funded under this program.
- 8. Not to Exceed 100% of Equipment Cost.** The amount of the grant award plus any other public financial assistance, tax credits or deductions, or other grants may not exceed the total capital cost of the equipment.
- 9. Failure to achieve the NO<sub>x</sub> emissions reductions projected in the designated eligible counties for this project and comply with certain contractual terms may require the grantee to return all or a share of the grant funds.** Emission reductions will be based on the grant equipment being used for the percentage of annual hours, miles, or fuel use that occurs in the eligible counties, as designated in the application for that activity. Failure to operate the grant equipment for the percentage of annual use in the eligible counties as designated in the application may result in the TCEQ requiring the return of all or a share of the grant funds. Additionally, the applicant will notify the TCEQ of any termination of use, change in use, sale, transfer, or destruction of grant-funded equipment, during the Activity Life. The applicant 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.
- 10. Requirement to Monitor.** The applicant will monitor the use of the grant-funded equipment over the designated Activity Life. The applicant agrees to provide information on the use of the equipment upon request of the TCEQ.
- 11. Insurance Coverage.** The applicant will maintain, for the term of the Activity Life for each activity, property loss insurance or self-insurance coverage on any equipment 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.

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**12. Legal Authority.** The applicant has the legal authority in the State of Texas to apply for the grant. The applicant's governing body has authorized the filing of the application, understands these requirements and certifications, and has authorized the person identified as the Authorized Official to act in connection with the application and to provide such additional information as may be required.

## **Administrative and State Contracting Certifications**

**1. Uniform Grant Management Standards.** The applicant will comply with the Uniform Grant Management Standards (UGMS), adopted June 2004 by the Texas Comptroller of Public Accounts in accordance with Texas Government Code Chapter 783. This document is available at: <http://www.comptroller.texas.gov/purchasing/docs/ugms.pdf>.

**2. Procurement of Goods and Services.** In procuring goods and services, the applicant will comply with UGMS Part III. State Uniform Administrative Requirements for Grants, §.36 Procurement. All procurement transactions will be conducted in a manner providing full and open competition.

**3. 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.

**4. Nondiscrimination.** The applicant will comply with all State and Federal statutes relating to nondiscrimination.

**5. Grant Administration.** The applicant 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.

**6. Audit.** Acceptance of funds under this program acts as acceptance of the authority of the State Auditor's Office, or any successor agency, to conduct an audit or investigation in connection with those funds. The applicant or other entity that may receive funds directly or indirectly from TCEQ must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit. Applicant will include this clause concerning the authority to audit funds received indirectly and the requirement to cooperate in any subcontract it awards.

**7. Debt to the State.** The applicant is not indebted to the state or has an outstanding 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.

**8. Debarment.** The 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.

**9. Conflict of Interest.** The applicant has not given, offered to give, nor intends to give 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 Texas Government Code Section 2155.004, no person involved in the preparation of the Request for Grant Applications may have financial interest in this application. If applicant is not eligible, then any contract resulting from this application shall be immediately terminated. Furthermore, under Texas Government Code Section 2155.004, the applicant certifies that the individual or business entity named in this application or contract is not ineligible to receive the specified contract and acknowledges that the contract may be terminated and payment withheld if this certification is inaccurate. All purchase decisions must be based on sound business decisions and arm's length bargaining.

**10. Contracting with an Executive of a State Agency.** Under Texas Government Code Section 669.003, relating to contracting with an executive head of a state agency, applicant represents that no person who, in the past four years, served as an executive of the 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, the applicant 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.

**11.** Under Texas Government Code Section 2155.006, 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 application may be terminated and payment withheld if this certification is inaccurate.

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**12.** The applicant has not been adjudicated during the three-year period immediately preceding the application signature date 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.

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

**14. Abortion Funding Limitation.** The applicant represents and warrants that any payments made by TCEQ with appropriated funds, should a contract be awarded, are not prohibited by Article IX, Section 6.25 of the General Appropriations Act, 86th Legislative Session (2019), nor by Texas Government Code Chapter 2272 Prohibited Transactions [Senate Bill 22, 86th Legislative Session (2019)].

**15. Excluded Parties.** Applicant represents and warrants that it is not listed in the prohibited vendors lists authorized by Executive Order No. 13224, "Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism," published by the United States Department of the Treasury, Office of Foreign Assets Control. Applicant will notify TCEQ if it can no longer make this representation.

## Form 4: Certification of Eligibility to Receive a State-Funded Grant.

All applicants must complete this form to certify eligibility to receive a grant 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 Texas Family Code Section 231.006, 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 (SSN) 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.

FEDERAL PRIVACY ACT NOTICE: This notice is given pursuant to the Federal Privacy Act. Disclosure of your SSN is required under Texas Family Code Section 231.006(c) and Section 231.302(c)(2). The SSN will be used to identify persons that may owe child support. The SSN will be kept confidential to the fullest extent allowed under Texas Family Code Section 231.302(e).

### Please Check One of the Following Applicant Options.

1. Individual or sole proprietorship	
2. One or more individuals own 25% or more of the business entity	
3. No individual owns 25% or more of the business entity	
4. Governmental entity	

### If Option 1 or 2 is checked, list the name(s) and SSN below.

Name:		Social Security Number (SSN):	
Name:		Social Security Number (SSN):	
Name:		Social Security Number (SSN):	
Name:		Social Security Number (SSN):	
Name:		Social Security Number (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.

Initial:		Date:	
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# Form 5: Equipment Information

## 1. Old Equipment Information.

<b>Equipment Type:</b> (i.e. haul truck, excavator, etc.)	
<b>Equipment Identification Number:</b> Equipment ID or last four digits of VIN #	
<b>Equipment Make:</b>	
<b>Equipment Model:</b>	
<b>Equipment Model Year:</b>	
<b>Gross Vehicle Weight Rating:</b> On-road equipment only	
<b>Engine Make:</b>	
<b>Engine Model:</b>	
<b>Engine Identification/Serial Number:</b>	
<b>Engine Model Year:</b>	
<b>Engine Horsepower Rating (bhp/hr):</b> Non-road equipment only	
<b>Fuel Type:</b>	Diesel
<b>Engine Family Code:</b> 12-digit emissions code	
<b>Federal NO<sub>x</sub> Emissions Standard (g/bhp-hr):</b>	
<b>Historical Annual Usage:</b> List average annual use for the two years immediately preceding the application signature date and select a unit from the dropdown list.	

## 2. New Equipment Information.

<b>Equipment Type:</b> Replacement projects only. (i.e. haul truck, excavator, etc.)	
<b>Equipment Model Year:</b> Replacement projects only.	
<b>Engine Model Year:</b> Replacement and Repower projects.	
<b>GVWR:</b> On-Road Projects	
<b>Horsepower:</b> Non-Road projects.	
<b>Fuel Type:</b>	
<b>Federal NO<sub>x</sub> Emissions Standard (g/bhp-hr):</b>	

## 3. Requested Grant Amount. Please indicate the requested grant amount from the applicable Rebate Grant Table posted on the TERP website.

<b>Requested Grant Amount:</b>	
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# Form 6: New Equipment Usage Information

Identify one or more of the following areas where the grant-funded equipment will be operated, and indicate the percentage of total annual use in that area for the equipment. Refer to the list of counties within each area on the cover page of this application.

## 1. Percentage in Area

Description	Percent Usage
% of Annual Usage Austin Area:	
% of Annual Usage Beaumont-Port Arthur Area:	
% of Annual Usage Corpus Christi Area:	
% of Annual Usage Dallas-Fort Worth Area:	
% of Annual Usage El Paso Area:	
% of Annual Usage Houston-Galveston-Brazoria Area:	
% of Annual Usage San Antonio Area:	
% of Annual Usage Tyler-Longview Area:	
% Total Annual Usage:	

## 2. Project Activity Life

Select an activity life from the dropdown list.	
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## 3. Business Description

Provide a description of your business and how the equipment will be used in your routine operations. For on-road equipment, include your typical driving route (including the cities traveled to and highways/roadways traveled on). If the equipment is primarily being used for natural gas recovery purposes, please indicate this below.

Business Description and/or Daily Route Description:

# Form 7: Summary Page

## Applicant Information.

<b>Applicant Legal Name:</b>			
<b>Applicant Type:</b>			
<b>FEI or SSN:</b>			
<b>Primary Project Area:</b>		<b>Emission Source:</b>	
<b>Requested Grant Amount:</b>			
<b>Activity Type:</b> Replacement or Repower			
<b>Is the applicant a TERP Small Business?</b>			
<b>How did you hear about this grant program?</b>			Other (please specify):

## Authorized Official.

The applicant or an employee of the applicant who has the legal authority to sign on behalf of the entity.

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. 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 these forms and information into a grant contract the data and information may be revised by the TCEQ for accuracy, and the acceptance of a grant contract will constitute agreement with those revisions. . My signature also constitutes acceptance of the certifications in Form 3, the terms of this grant, and any changes posted through addenda on the Electronic State Business Daily. Failure to sign the application or signing it with an incorrect statement may make the submitted offer or any resulting contracts voidable.

<b>Printed Name of Authorized Official:</b>	
<b>Authorized Official Title:</b>	
<b>Signature of Authorized Official:</b>	
<b>Date of Signature:</b>	

*The application, signed by the Authorized Official, must be received by the application deadline or the application will not be accepted.*

**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.**

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

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).

## Form 8: Waiver Request

Applicants requesting a waiver to one or more of the program requirements must complete this form and include it with the application during submission.

<b>Please choose the waiver request(s) that apply to the activity.</b>	
	<b>Waiver for the Ownership Requirement:</b> Equipment has not been continuously owned for the two years immediately preceding the application signature date. For on-road equipment, the applicant has not been listed on the front of the title document for the two years immediately preceding the application signature date.
	<b>Waiver for the Registration Requirement:</b> Equipment has not been continuously located and used in Texas for the two years immediately preceding the application signature date. In addition, on-road equipment has not been continuously registered for operation in Texas for the two years immediately preceding the application signature date.
	<b>Waiver for the Usage Requirement:</b> Equipment is not currently in good operating condition and is incapable of performing its primary function in the routine operations of the applicant at the time of application signature. Equipment cannot continue to perform its primary function for the duration of the activity life of the project.
Please provide a detailed explanation for the waiver request(s) below. Attach any supporting documentation for your request(s) to this application for review by the TCEQ.	
By signing this document, the applicant is certifying that all information provided is complete and accurate.	
<b>Printed Name of Authorized Official:</b>	
<b>Signature of Authorized Official:</b>	
<b>Date of Signature Provided:</b>	

## Form 9: Application Checklist

All applications require the documents listed below. Please ensure that you have read and attached all of the required documents for your grant program. All pages that must be signed are indicated below. The application may be submitted via email, fax or by mail. If a signature page is missing or has been altered, the application will not be considered.

Application Form Checklist (All Applications):		
<b>Form 1: Applicant Information</b>	Please fill out entirely.	
<b>Form 2: Third-Party Preparer Certification</b>	If a Third-Party Preparer was used, <b>Signature Required.</b>	
<b>Form 3: Program Certifications</b>	Please read and include with application.	
<b>Form 4: Certification of Eligibility</b>	<b>Initials Required.</b>	
<b>Form 5: Equipment Information</b>	Please fill out entirely.	
<b>Form 6: New Equipment Usage Information</b>	Please fill out entirely.	
<b>Form 7: Summary Page</b>	Please fill out entirely. <b>Signature Required.</b>	
<b>Form 8: Waiver Request</b>	Please fill out entirely if applicable. <b>Signature Required.</b>	
<b>Form 9: Application Checklist</b>	Please read and include with application.	
Required Attachment Checklist (All Applications):		
<b>W-9 Form</b>	<b>Signature Required.</b> <a href="https://www.irs.gov/pub/irs-pdf/fw9.pdf">https://www.irs.gov/pub/irs-pdf/fw9.pdf</a>	
<b>Copy of State or Federal Identification Card</b>	Only applicable if applicant is an individual or sole proprietor.	
<b>Color Photographs of Old Equipment</b>	Please attach color photographs of the front, right side, left side, rear, engine, and engine plate of the old equipment.	
<b>If the Equipment has already been purchased, provide the purchase, lease, or financing agreement showing the price paid.</b>	The purchase may not have been made before the opening of the grant application period.	
Required Attachments (On-Road Equipment):		
<b>Copy of Current Title or Lease Agreement for Old Equipment</b>	Please document ownership for the 2 years immediately preceding the application signature date.	
<b>Copy of Registration Documents for Old Equipment</b>	Please include documentation of continuous registration for the 2 years (24 months) immediately preceding the application signature date.	
<b>Quarterly Usage Logs (Apportioned Tags Only)</b>	If apportioned registration was submitted, usage logs are required for 2 years immediately preceding the application signature date. Please include quarterly summaries that include miles driven in each registered state.	
Supplemental Forms and Documentation (if applicable):		
<b>Alternative Destruction Request Form</b>	If an applicant is requesting an alternative method of destruction other than the approved method noted in the RFGA, the request must be submitted prior to or with the application submission.	