

Project Application Form Alternative Fueling Facilities Program (AFFP)

Texas Emissions Reduction Plan (TERP)
Texas Commission on Environmental Quality (TCEQ)
Solicitation No. 582-22-32121-AF

If you have questions on how to fill out this application, please contact us at 800-919-TERP (8377) or TERP@tceq.texas.gov.

Esta es la solicitud del Programa de Instalaciones de Combustibles Alternativos (AFFP por su sigla en inglés). La información en este documento le ayudará a determinar si califica para una subvención. Comuníquese al 800-919-TERP (8377) para obtener ayuda con esta solicitud.

TCEQ invites applications for the AFFP. The AFFP funds natural gas and alternative fueling facility projects in the 83 Texas counties that make up the Clean Transportation Zone (CTZ). Please review the [FY22-23 AFFP Request for Grant Applications \(RFGA\)](#) for eligibility and other requirements. Applicants and/or projects that do not meet the AFFP eligibility requirements at the time of application submittal will not be considered for a grant.

Applicants may only include one project site and one alternative fuel type per application submission. A combined CNG and LNG project may be submitted in one application.

Application Deadline: Applications will be accepted for consideration during this grant period only if received by TCEQ via electronic mail at TERPapply@tceq.texas.gov or via mail at TCEQ's physical address, *no later than 5:00 p.m. Central Time on July 12, 2022*. Only one application may be submitted per electronic mail at a maximum file size of 25MB. If your application is larger than 25 MB, please submit via TCEQ's file transfer protocol secure (FTPS) to TERPapply@tceq.texas.gov. ([Read how to use the TCEQ's FTPS site](#)). Please use the following naming convention for your application file and in the subject line of the email: 'FY22 AFFP and your legal name'.

Regular Post Delivery

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



terpgrants.org

Express Delivery

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

Section 1: Applicant Information

1. Legal Name of Entity Applying for the Grant (Must Match W-9 Form)

If selected for a grant, the legal name of the applicant will be used for contracting purposes.

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2. Business Information

All business entities such as corporations or partnerships must have an active registration with the Texas Secretary of State by no later than May 10, 2022, 5:00 p.m. CST. Businesses must maintain an active registration for the contract period.

Ownership Code (Business Type):	
Federal Employer Identification Number (if applicable):	

3. Small Business Entities (if applicable)

To qualify for funding under the AFFP Small Business allocation, the Small Business entity must be actively registered or certified as one or more of the following no later than May 10, 2022, 5:00 p.m. CST. I certify that my business entity is a small business as identified below (select all that are applicable) and that I have submitted proof of any registrations or certifications with this application:

- A small business corporation under Subchapter S of the Internal Revenue Code;
- A Historically Underutilized Business (HUB) with the Texas Comptroller's Statewide HUB Program;
- An 8(a) Small Business Certification by the U.S. Small Business Administration (SBA);
- A Woman Owned Small Business (WOSB) by the U.S. Small Business Administration;
- A HUBZone Program Certification by the U.S. Small Business Administration;
- A Veteran-Owned Small Business (VOSB) or Service-Disabled Veteran-Owned Small Business through the Department of Veterans Affairs;
- A Disadvantaged Business Enterprise (DBE) by the Texas Department of Transportation (TxDOT) or entities that are part of the Texas Unified Certification Program; or
- Any other certification as a small business enterprise by the state of Texas or local government, regional certification agency, or the U.S. Small Business Administration.

4. 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:					Cell Phone:				
E-mail Address:									
Mailing Address:									
City:				State:			Zip Code:		

5. Designated Project Representative

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

Is the Designated Project Representative the same as the Authorized Official?									
Prefix:		First:		MI:		Last:		Suffix:	
Title:									
Primary Phone:					Cell Phone:				
E-mail Address:									
Mailing Address:									
City:				State:			Zip Code:		

Section 2: Third-Party Preparer Signature Page

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

A third-party preparer is someone other than the applicant or an 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 will make this application ineligible. I understand that making a false statement may make the submitted application ineligible, may make any resulting contracts voidable, and may subject me to criminal or civil penalties.

3. Third-Party Preparer Information

Printed Name:	
Title:	
Company Name:	
Street Address:	
City, State, Zip Code:	
E-mail Address:	
Phone Number:	
Signature:	
Date of Signature:	

*Please complete the entire application before signing electronically. The ability to edit, add, or remove information will not be available after the application is electronically signed.

Section 3: Certification of Eligibility to Receive a State-Funded Grant

All applicants must complete this section to certify eligibility to receive a grant under this program, even if child support obligations do not apply to the applicant.

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.

FEDERAL PRIVACY ACT NOTICE: This notice is given pursuant to the Federal Privacy Act. Disclosure of your Social Security Number (SSN) is required under Section 231.006(c) and Section 231.302(c)(2) of the Texas Family Code. 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 Section 231.302(e), Texas Family Code.

Please Check One of the Options Below

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 social security number(s) (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 by signing this application that to the best of my knowledge and belief, the individual or business entity submitting this application is not ineligible to receive a grant. I acknowledge that the grant contract may be terminated, and any payments withheld if this certification is inaccurate.

Section 4: Certifications

This section includes specific requirements and statements for funding under AFFP. These terms apply to any contract awarded by TCEQ from this application. The AFFP RFGA and the draft contract, located at www.terpgrants.org, contain additional terms and conditions that the applicant should review before submitting an application.

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 materially change after submittal of the application, you will provide prompt written notification to the TCEQ within three (3) business days of becoming aware of the change. Failure to notify TCEQ and/or any changes to your certifications may make the application ineligible and may make any resulting contracts voidable.

- 1. Legal Authority.** The applicant has 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 submit this application and to provide such additional information as may be required.
- 2. Fuel Taxation.** The applicant certifies that it complies or will comply with laws, rules, guidelines, and requirements applicable to taxation of fuel provided by the applicant at each fueling facility owned or operated by the applicant.
- 3. Texas Grant Management Standards.** In accordance with Chapter 783, Texas Government Code, if the applicant is a local government, state entity, or political subdivision, it will comply fully with the Texas Grant Management Standards (TxGMS). This includes compliance with the relevant sections of TxGMS when procuring goods and services under a resulting contract. For all other applicants, the selected items of cost of TxGMS apply to any resulting contract. These documents are available at: <https://www.comptroller.texas.gov/purchasing/grant-management/>
- 4. Procurement of Goods and Services.** If this application results in a contract, all procurement transactions made with (or to be reimbursed by) grant funds must be conducted in a manner providing full and open competition; all purchase decisions must be based on sound business decisions and arm's length bargaining; and purchases must be made without any real or apparent personal or organizational conflicts of interest as described in TxGMS.
- 5. 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. All purchase decisions must be based on sound business decisions and arm's length bargaining.
- 6. Nondiscrimination.** The applicant will comply with all State and Federal statutes relating to nondiscrimination.
- 7. 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.
- 8. 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 on investigation in connection with those funds. The applicant or other entity that may receive funds directly or indirectly under AFFP 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 is included in any subcontract it awards.
- 9. Debt to the State.** The applicant is not indebted to the state and does not have 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.
- 10. Contract.** The applicant understands that a PDF of the draft contract may be viewed and downloaded from the TERP website at www.terpgrants.org. The draft contract is for reference only and contains terms and conditions which are standard provisions for grants awarded under this program. Any requested changes to the draft contract must be received by TCEQ no later than the date of the submission of this application. However, the applicant further understands that the TCEQ will not normally change the contract language in response to individual requests from grant recipients and is under no obligation to do so. TCEQ reserves the right to modify the draft contract terms as necessary due to statutory, rule, or policy changes. Modifications will be posted to the TERP website at www.terpgrants.org and the Electronic System Business Daily.

- 11. Contracting with an Executive of a State Agency.** Under Texas Government Code Section 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 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 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.
- 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. The applicant also certifies 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 U.S. Department of Treasury, Office of Foreign Assets Control.
- 13. Abortion Funding Limitation.** The applicant represents and warrants that payments made by TCEQ to the PERFORMING PARTY and the PERFORMING PARTY's receipt of funds under the contract are not prohibited by Article IX, Section 6.24 of the General Appropriations Act, nor by Texas Government Code, Chapter 2273, *Prohibited Transactions*.
- 14.** 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.
- 15.** 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.
- 16.** Applicant, nor any of its officers, have been adjudicated by a court of law to have violated the Texas Deceptive Trade Practices Act.
- 17. COVID-19 Vaccine Passport Prohibition.** Under Section 161.0085 of the Texas Health and Safety Code, the applicant certifies that it is not ineligible to receive funds.
- 18.** If the Applicant is a governmental entity, it represents and warrants that it will comply with Section 2252.906 of the Texas Government Code relating to disclosure protections for certain charitable organizations, charitable trusts, and private foundations.
- 19.** Applicant represents and warrants that it does not perform political polling and acknowledges that appropriated funds may not be granted to, or expended by, any entity which performs political polling.

Section 5: Program Certifications

1. Site Ownership

Applicants are required to be the owner of the site where the equipment is installed unless the applicant establishes permission to install and operate the grant-funded equipment at the site during the contract period. **The information below must be completed if the applicant does not own the site where the equipment will be installed, and the applicant and site owner must provide their signatures.**

Is the Applicant the Property Owner?		
If not, the property owner must provide their name, title, and signature below.		
Property Owner Name:		
Title:		
I, the undersigned owner of the real property located at the address identified in Section 6. Proposed Project Location below, consent to the installation of the alternative fuel fueling/charging facility on this property. I understand and agree that the Applicant listed above is obligated, unless otherwise approved by TCEQ, to keep the alternative fuel fueling facility in operation and in service for a minimum of three (3) years after installation.		
Signature:		Date:

*Please complete the entire application before signing electronically. The ability to edit, add, or remove information will not be available after the application is electronically signed.

2. Equipment Ownership

By signing this application, the applicant certifies that it will purchase and own the grant-funded equipment during the contract period subject to the following:

- 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 during the contract period.
- Any sale of the grant-funded equipment during the contract period will be subject to approval and consent to assignment by TCEQ in accordance with the contract terms.

Section 6: Proposed Project Location, Site Plan, and Project Summary

1. Proposed Project Location

Please list the location of the proposed project.

Physical Address:	
City:	
State:	
Postal/Zip Code:	
County:	

2. Site Plan

The applicant must attach a site plan (including a scaled map which could be a photograph, satellite map, drawing, or similar graphic of the proposed site) that shows the planning and design of its proposed facility. The site plan must:

- demonstrate how the public may access the facility, including driveways and facility access points from public roads, and
- provide the location of the facility within the property and include any easements, set-back requirements, and property boundaries.

3. Project Summary

Eligible projects must include the construction or reconstruction of an alternative fueling facility. Reconstruction is defined as the expansion of a site to provide a new and different alternative fuel that does not exist at the site. In the space below, please provide a brief summary of the project. If this is a reconstruction project, please describe which fuels already exist at the site and which new and different alternative fuel will be added as part of this project.

4. Application Score Tie-breaking Provisions

In the event of a tied score, the following may be used as tie-breakers in no order of preference. Please select all that are applicable and include documentation as an attachment to the application:

- Applicant is a Texas bidder meaning it is incorporated in this state; has its principal place of business in this state; or has established a physical presence in this state. (Tex. Gov. Code 2155.444).
- Applicant will use USA-produced supplies, materials, or equipment in fulfilling its grant obligations. (Tex. Gov. Code 2155.444).
- Applicant will use products made of recycled, remanufactured, or environmentally sensitive materials in fulfilling its grant obligations. (Tex. Gov. Code 2155.445).
- Applicant will purchase and use energy efficient products in fulfilling its grant obligations. (Tex. Gov. Code 2155.442).
- Applicant will purchase and use products made by persons with disabilities in fulfilling its grant obligations. (Tex. Gov. Code 2155.441).
- Facility will be located on formerly contaminated property. (Tex. Gov. Code 2155.450).
- Facility will be located in an economically depressed or blighted area. (Tex. Gov. Code 2155.449, 2306.004).

Section 8: Project Budget Summary

List the total cost for each budget category from Section 7.

Equipment Total:	
Supplies and Materials Total:	
Construction Total:	
Contract Services Total:	
Total Eligible Project Costs:	
Potential AFFF Award Calculation: <ul style="list-style-type: none">• \$400,000 for Natural Gas (CNG or LNG) projects;• \$600,000 for projects providing both CNG and LNG; or• For fuels other than Natural Gas, 50% of Eligible Project Costs or \$600,000, whichever is less.	

Section 9: Project Details

Project Information

Does the Applicant meet at least one Small Business Certification as defined in Section 1 of this Application?	
Did Applicant or its affiliates receive two or more grants during the TxVEMP DC Fast Charging and Hydrogen Fueling Equipment solicitation?	
Have you previously received an AFFP or TxVEMP grant for this project site?	
What is the project Fuel Type?	
How many recharging or fueling ports will the facility have?	
What is the requested grant amount?	

Facility Location

Latitude in decimal degrees to a minimum of 5 decimal places (e.g., 31.01234)	
Longitude in decimal degrees to a minimum of 5 decimal places (e.g., -106.01234)	

Facility Details

Hours of Operation

Public facilities 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., for at least five days a week. Proposed facilities that commit to remaining open to the public 24 hours per day, 7 days a week, will receive points under the proposed facility location and service capacity scoring criterion. TCEQ considers a facility to be private if the general public's right to access the facility is restricted in some manner.

Will the facility be open to the public?	
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For public facilities, please indicate the hours of operation.

Day of Week	24 hrs.	Opening Hour	Closing Hour
Sunday			
Monday			
Tuesday			
Wednesday			
Thursday			
Friday			
Saturday			

Amenities

Proposed facilities that will provide amenities or have amenities within ¼ mile of the proposed facility will receive points under the existing local amenities scoring criterion. Additional points will be awarded for amenities located onsite. Select all onsite or nearby amenity types that apply. If a facility type is not provided, please provide a brief description in the field labeled "other." For amenities that do not currently exist, please include definitive documentation with this application that clearly documents the type and location of the future amenities.

Type	Distance	Type	Distance	Type	Distance
Entertainment		Municipal Building(s)		Restrooms	
Federal Building(s)		Park(s)		Retail Shopping	
Grocery Store(s)		Restaurant(s)		State Building(s)	
Other		Other Description:			

Section 10: Signature Page

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, including any representations made by a third-party preparer. My signature also constitutes acceptance of the certifications in Sections 4 and 5 of this application, the terms of the RFGA, and any other changes posted through addenda on the Electronic State Business Daily. **I understand that failure to sign the application will make this application ineligible. I understand that making a false statement may make the submitted application ineligible, may make any resulting contracts voidable, and may subject me to criminal or civil penalties.**

Printed Name of Authorized Official:	
Authorized Official Title:	
Signature of Authorized Official:	
Date of Signature*:	
<i>The application, signed by the Authorized Official, must be received by the application deadline or the application will not be accepted.</i>	
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 request to have their provided personal information updated. To review such information, contact TERP program staff at TERP@tceq.texas.gov or 1-800-919-TERP (8377).	

*Please complete the entire application before signing electronically. The ability to edit, add, or remove information will not be available after the application is electronically signed.

Section 11: Application Checklist

All applications for funding must be substantially complete and must be submitted within the required deadline. Submission of a grant application that is not substantially complete will disqualify the applicant from receiving a grant under this RFGA. A substantially complete application must include:

- all pages of the application;
- all required attachments;
- applicant contact information;
- all required signatures; and
- all the information for TCEQ to score and rank the project according to the scoring criteria listed in the RFGA.

Subject to staff resources, TCEQ may conduct a courtesy review of applications submitted within the first 30 days of the solicitation period to check for application completeness. This review is limited and does not ensure your application meets all eligibility requirements, nor is it a guarantee of award. TCEQ staff will notify applicants via email with issues of application completeness and it will be the responsibility of the applicant to submit a substantially complete application within the required application deadline.

Application Checklist (All Applications):		
Section 1: Applicant Information	Please fill out entirely.	
Section 2: Third-Party Preparer Signature Page	If a Third-Party Preparer was used, please fill out entirely and Signature Required.	
Section 3: Certification of Eligibility to Receive a State-Funded Grant.	Please fill out entirely.	
Section 4: Certifications	Please read and include with application.	
Section 5: Program Certifications	If the applicant is not the site owner, please fill out entirely and Signature Required.	
Section 6: Proposed Project Location, Site Plan, and Project Summary	Please fill out entirely.	
Section 7: Project Budget Categories	Please fill out entirely.	
Section 8: Project Budget Summary	Please fill out entirely.	
Section 9: Project Details	Please fill out entirely.	
Section 10: Signature Page	Please fill out entirely. Signature Required.	
Section 11: Application Checklist	Please read and include with the application.	
<u>W-9 Form</u>	Please fill out entirely. Signature Required.	
Required Attachment Checklist:		
Copy of all applicable Small Business certifications (if applicable)	Please refer to Section 1 for a list of certifications that may apply and attach to the application.	
Site Plan	Please refer to Section 6 for requirements.	
Documentation that Applicant Meets Tie-breaking Provisions (if applicable)	Please refer to Section 6 for a list of provisions that may apply and attach to the application.	