

**REQUEST FOR APPLICATIONS (RFA)  
CLEAN DIESEL FY23 FUNDING PROGRAM**



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<https://www.metroenergy.org>**

**Due: Friday, November 2, 2023, at 2:00 PM CST**

**RFA – Clean Diesel FY23 Funding Program**

<b>RFA Issue Date</b>	9/15/2023
<b>Pre-Application Meeting</b>	10/5/2023 10:00am CST
<b>RFA Questions Deadline</b>	10/27/2023
<b>RFA Submission Deadline to MEC</b>	<b><u>11/2/2023 2:00 PM CST</u></b>
<b>Expected Date for MEC Selection Notification</b>	11/7/2023
<b>Expected Timeframe for Award Negotiations</b>	Award with MEC is fully contingent on a successful application to EPA. Estimated July 2024.

**Funding allocations:**

Total available federal funding is \$3.5 million. Individual applications may request \$20,000 - \$840,000 in federal funds.

Cost-share requirements from applicants range from 55% to 75% of individual subaward project costs, depending on technologies deployed.

MEC expects to select five to ten (5-10) projects for inclusion in its proposal to EPA.

**RFA Information:**

<https://metroenergy.org/procurement/>

Commented [DA1]: "Total maximum federal funding"?

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### I. RFA Overview

This Request for Applications seeks to select organizations that will join with Metropolitan Energy Center (MEC) in an aggregated competitive proposal to the Environmental Protection Agency’s (EPA) National Diesel Emissions Reduction Act (DERA) program for FY 2022-2023.

Maximum federal funding for MEC’s proposal is \$3.5 million. MEC expects to select five to ten (5-10) projects for inclusion in its proposal to EPA, though we may select fewer or more. If MEC’s proposal to EPA late this fall is successful, selected projects will enter a contract agreement with MEC for their performance in July of 2024 and will be authorized to begin procurement work upon execution of agreement.

Partnership applications under this RFA are limited to replacement of eligible diesel vehicles with alternative fuel or electric vehicles, the replacement of eligible diesel engines with alternative fuel or electric engines, the conversion of eligible diesel engines to run on alternative fuels, and/or the installation of electrified parking spaces. Follow-on activities including public engagement, workforce readiness training, and climate change mitigation planning are allowed and encouraged. These projects must achieve significant reductions in pollution emitted from diesel engines.

Applicant selections will be made one week after the RFA closing date. MEC reserves the right not to select any Applicants or to offer partial funding to Applicants. Costs incurred by organizations during the application process are ineligible for reimbursement.

Estimated schedule of activities post-RFA:

1. MEC aggregated proposal to EPA: 12/1/2023
2. EPA decision to MEC: Apr-Jun 2024
3. If award is granted, MEC award effective date: July 1, 2024
4. If award is granted, selected applicant project performance period (estimated): July 1, 2024 – June 30, 2027.

### II. Program Goals and Benefits

Priority goals for applicant selection include reducing criteria air pollutants affecting vulnerable populations, reduced use of petroleum diesel in school buses, electrification of heavy diesel vehicles, and applicant participation in outreach and public awareness campaigns. In addition, EPA guidelines prioritize these outcomes:

- Improvements within the goods movement sector, including rail and freight terminals, ports and distribution centers;
- Improvements within environmental justice and economically disadvantaged communities, and engagement with communities hurt by air pollution;
- Inclusion of plans for workforce readiness and worker training through clean fuels deployments involving drivers, technicians, mechanics and other essential personnel;
- Inclusion of plans to protect grant-funded investments from negative climate impacts – floods, storm damage, etc.

Projects on the leading edge of technology development and that encourage innovation by service providers and regional peers are encouraged. Data capture and lessons learned is an important goal. These will be leveraged into project success stories and shared through our business and community relationships using targeted outreach and educational peer-to-peer presentations. Together, deployments and outreach will encourage adoption of increased numbers of alternative fuel and electric vehicles.

Long-term benefits and outcomes will include:

1. Reduction of NO<sub>x</sub>, particulate matter, and other air pollutants.
2. Better air quality for disadvantaged and environmental justice communities.
3. Expanded use of cleaner alternative fuels and vehicles, with the goal of moving towards an increasingly self-sustaining regional alt-fuel market.

**Commented [DA2]:** We can always go higher - but fixing the cost-share examples to reflect a slightly lower federal total.

**Commented [KG3R2]:** I'll refer to the NOFO to see max award for our region. I'd rather be far less wordy here in general.

**Commented [KG4]:** @David Albrecht is this electrified parking spaces phrase in the right place, now that I've added conversions?

**Commented [DA5R4]:** Yeah, looks fine I think.

**Commented [DA6]:** What about alt-fuel conversions? K-State is interested in Optimus B100 conversions for university trucks, other biodiesel consortium members may be as well (my email was Friday before Labor Day weekend, so some responses pending). This is envisioned as a hands-on project, and would boost our scores by tying into EPA goals in the FOA for workforce development (p. 8) as part of program goals for our application to EPA.

**Commented [DA7]:** How about the end of the following week - that is, the 9th or 10th? Two weeks after 11/2 means two weeks and one day to craft the application to the projects selected and get it in, and Thanksgiving falls between selection and our deadline. I really think we need to move the selection dates up on the calendar.

**Commented [KG8]:** @Jeff Windsor we need to add a section to the RFA form for this topic.

**Commented [KG9R8]:** And the climate change mitigation planning.

**Commented [KG10R8]:** @David Albrecht does EPA specify what these two activities might look like or provide cost-sharing requirements?

**Commented [JW11R8]:** Maybe on workforce, add to Criteria with outreach participation (and workforce dev); add 5 more pts. Also include in Section 2 Program Goals as #3

**Commented [JW12R8]:** on Climate Change Mit Planning add as a separate category on Criteria 10pts?

**Commented [KG13R8]:** I'd max climate change mitigation at 5 pts, as well.

**Commented [DA14R8]:** There are point values, which break down as follow (out of 145 possible points):

**Goods Movement** - Based on the extent to which the project proposes deployments at ports, multi-modal sites, etc. (5 points)

#### EJ/DAC Series

Non-Attainment or Maintenance Areas for PM 2.5 and Ozone (10 points)

**Commented [DA15]:** Use or don't - hoping we can encourage applicants to think creatively by spelling out EPA concerns.

### III. Eligibility and Programmatic Requirements

#### A. Eligible Entities

All organization types, public and private, are eligible to apply. No selections or grants will be made to individuals.

#### B. Site Locations

The eligible geographic scope for deployment is EPA Region 7 (i.e. the states of Iowa, Kansas, Missouri and Nebraska), with the highest priority being within disadvantaged or environmental justice areas of Kansas and Missouri.

Further prioritized consideration will be given for projects that operate within non-Attainment or Maintenance Areas for PM 2.5 and Ozone (see EPA's Green Book at <https://www3.epa.gov/airquality/greenbook/mapnmpoll.html>); or within areas where part or all of the population are exposed to diesel PM concentrations at or above the 80th percentile (see EPA's EJ Screen at <https://ejscreen.epa.gov/mapper/>).

*Environmental justice is the fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This goal will be achieved when everyone enjoys the same degree of protection from environmental and health hazards, and equal access to the decision-making process to have a healthy environment in which to live, learn, and work.*

#### C. Funding Allocations and Cost Sharing

Total available federal funding is \$3.5 million. Applicant federal budget requests may range from \$20,000 - \$840,000. MEC expects to select five to ten (5-10) projects for inclusion in its proposal to EPA, though we may select fewer or more, depending on the quality and value of applications received.

Cost-sharing requirements apply to all deployment project types and depend on technologies selected and deployed. Please see table(s) below. Applicants willing to forgo some funding (for instance, asking for a 20% reimbursement instead of the 25% maximum on a vehicle replacement) will improve their chances of approval, though doing so cannot guarantee success.

**Table 1: Cost Share Requirements**

Eligible Technologies	EPA Reimbursement Limit / Cost Share	Mandatory Applicant Cost Share
Drayage Truck Replacement	50%	50%
Vehicle or Equipment Replacement with EPA Certified Engine	25%	75%
Vehicle or Equipment Replacement with CARB Certified Low NOx Engine	35%	65%
Vehicle or Equipment Replacement with Zero-tailpipe Emission Power Source	45%	55%
Engine Replacement with EPA Certified Engine	40%	60%
Engine Replacement with CARB Certified Low NOx Engine	50%	50%
Engine Replacement with Zero-tailpipe Emission Power Source	60%	40%
EPA Certified Remanufacture Systems	100%	0%
EPA Verified Marine Shore Connection Systems	25%	75%
EPA Verified Electrified Parking Space Technologies	30%	70%
EPA Verified Hybrid Retrofit Systems	60%	40%
Alternative Fuel Conversion	40%	60%

**Commented [KG16]:** [Jeff Winkler](#) please pull the very short eligibility statement from EVUM, also. Thanks!

**Commented [KG17]:** Need reference map for this, if possible [David Abrams](#)

**Commented [DA18R17]:** Probably EJ Screen, since it's got the percentiles built right in at the top right of the screen - <https://ejscreen.epa.gov/mapper/>

**Commented [DA19R17]:** Also the user-friendliest among many EPA pollutant screening tools.

**Commented [KG20R17]:** EJ screen may work for the second bit, but the first part specifies Non-Attainment and Maintenance zones for specific Criteria Pollutants. Is there a map for that anywhere?

**Commented [DA21R17]:** Green Book Map Downloads of non-attainment areas by state: select this link - <https://www.epa.gov/green-book/green-book-map-download>

Then choose 8-Hour Ozone (2015 Standard) or PM 2.5 (2012 Standard) - both are ZIP Files. Other pollutant NAAs listed as well as needed.

**Commented [DA22R17]:** Or, short, sweet and simple: <https://www3.epa.gov/airquality/greenbook/mapnmpoll.html> - one-stop shopping, though not much detail - also county-level.

**Commented [DA23]:** We can always go higher - but fixing the cost-share examples to reflect a slightly lower federal total.

**Commented [KG24R23]:** I'll refer to the NOFO to see max award for our region. I'd rather be far less wordy here in general.

**Commented [KG25]:** [David Abrams](#) what are the two things highlighted in green below, and are they related to alt fuel conversions or just to cleaning up diesel engines?

**Commented [DA26R25]:** For category one, DPF, CCV, etc. as described at the bottom of the chart at the very end - diesel engine cleanup only.

**Commented [DA27R25]:** Category two is basically biodiesel and cetane enhancers - per the Verified Technology list. Most everything else is filters, catalysts and particle traps, etc. <https://www.epa.gov/verified-diesel-tech/verified-technologies-list-clean-diesel>

The following table shows how cost sharing requirements can be applied to four different types of project.

**Table 2: Cost Sharing Examples:**

Project Description	Total project cost	Cost Share Split	Federal Share/ Reimbursement	Local Cost Share
Replace 4 diesel transit buses with electric (\$450,000 ea.)	\$1,800,000	45% Federal 55% Applicant	\$810,000	\$990,000
Install 20 electric parking spaces at truck stop (includes equip and construction costs)	\$650,000	30% Federal 70% Applicant	\$195,000	\$455,000
Replace 4 Class 8 long-haul diesel tractors with CARB-compliant CNG units at \$205,000 ea.	\$820,000	35% Federal 65% Applicant	\$287,000	\$533,000
Convert 8 work trucks to run on 100% biodiesel at \$20,000 ea.	\$160,000	40% Federal 60% Applicant	\$64,000	\$96,000

#### D. Equipment, Technology and Programmatic Eligibility

New, repowered or converted vehicles must be powered by compressed natural gas (CNG); liquefied natural gas (LNG); propane (LPG); hydrogen; or electricity (EV).

Vehicles being replaced, repowered or converted must be Class 5-8 diesel vehicles – that is, with GVWR of 13,001 pounds to 33,000 pounds.

Eligible categories include school or transit buses, off-road terminal trucks (i.e. “hostlers”, “yard goats”, etc.), work trucks, trash haulers, short-haul delivery trucks and long-haul freight tractors.

Engine Model Year (EMY) of vehicles being replaced, repowered or converted impacts the eligible technology that can be deployed or installed.

**Table 3: Medium- and Heavy-Duty Truck, Transit Bus, and School Bus Eligibility**

Current Engine Model Year (EMY)	Vehicle or Engine Replacement (EMY 2021+)	Vehicle or Engine Replacement (EMY 2021+ Zero-Emission or Low-NOx)	Clean Alternative Fuel Conversion
Older - 2006	Yes	Yes	Yes
2007-2009	Yes	Yes	Yes
2010 - Newer	No	Yes	Yes

**Low-NOx** – Refers to a specific designation by the California Air Resources Board (CARB) for engines tested to meet strict standards for pollutant output. To check whether an engine meets the low-NOx standard, visit the CARB website [and search by Engine Model Year](#).

Other restrictions apply, as follows.

- Applicants cannot use DERA funding to enlarge a fleet or for fueling infrastructure (except for limited electric charging support or electrified parking spaces).
- All vehicles, engines or equipment replaced under this program must be destroyed. There are specific requirements for the scrapping process, including prescribed methods, photographs (or site visits), and sales receipts.
- Any income from scrapping old units will be subtracted from Applicant reimbursements.
- Old units must be scrapped within 90 days of the date that replacement vehicles are placed in service.
- Non-diesel vehicles/equipment or engines are not eligible for replacement or conversion.

**Commented [KG28]:** @David Albrecht what is the estimated cost to convert using Optimus? I know they weren't able to deliver on time for Dodge and may not be an awesome partner, but I'd like to use a conversion example here, as well.

**Commented [KG29R28]:** \$18,000 comes to mind.

**Commented [DA30R28]:** Hmmm - let me check my email. I think I have this floating around somewhere.

**Commented [DA31R28]:** \$22,000 comes to mind for some reason - discussions with Seward? Anyway, FWIW.

**Commented [DA32]:** Also, unclear on the use of the word "upfit" here - typically it means the work done on a cab-chassis to get it ready for use - a boom truck or a parts van. Do you mean "repowered" or "converted"?

**Commented [DA33R32]:** If so, you need to specify and (if needed) change the description of eligible technologies.

**Commented [DA34]:** As above, diesel? Alt-fuel conversions?

- Diesel vehicles and engines from any Engine Model Year (EMY) through EMY 2009 are eligible for vehicle or engine replacement. If you plan to replace diesel vehicles newer than EMY 2010, they must be replaced with CARB-eligible low-NOx or zero-emission electric models.
- To ensure the planned replacement or upfit is certified and eligible for use under these funds, and to confirm eligibility of old vehicles, search engine family names through CARB. These are listed by EMY, type and OEM at [Heavy-Duty And Off-Road Compression Ignition](#)
- New vehicles must perform substantially the same work as the units they replace and have substantially the same horsepower and displacement. Increases of up to 10% of GVWR within an engine’s intended service class may be allowed for vocational trucks, but EPA must agree to variances like this before purchase.
- For electrified parking spaces (aka truck stop electrification or shore power), systems selected must be EPA-verified. For a list of all verified technologies please check EPA’s [Smartway Technology Page](#).

**IV. Criteria for Evaluation**

All applications will be reviewed by a Review Committee consisting of MEC staff and other members offering technical evaluations and assistance, as necessary.

Applicants will be notified if additional information or documentation is required. All information required to complete the application for funding is provided in this RFA. Any additional information pertaining to submissions, including email and phone calls, will not be considered once the review process is under way.

When evaluating projects for funding, the Review Committee will consider the following criteria listed below. The overall quality of the application, containing all required information in a clear and concise format, is a prevailing consideration throughout all categories. The potential maximum number of points is listed to the right for each category.

Complete and eligible applications will be ranked in each of the following categories, weighted by rank, and given a final score.

**Table 4: Evaluation Criteria**

Category	Weight
<i>Environmental Justice (Disadvantaged or Environmental Justice zone, Non-Attainment or Maintenance area, PM2.5 concentration)</i>	25
<i>Diesel fuel reduced (fuel volume displaced)</i>	20
<i>Duty Cycle:</i> <i>School / Transit Buses = Rank 1</i> <i>Urban Freight/Multimodal Yards = Rank 2</i> <i>All Others = Rank 3</i>	15
<i>Cost Effectiveness (cost sharing percentage)</i>	15
<i>Operating Geography:</i> <i>KS/MO = Rank 1</i> <i>NE/IA = Rank 2</i>	10
<i>Other Programs:</i> <i>Outreach Participation (5)</i> <i>Workforce Readiness (5)</i> <i>Climate Change Planning (5)</i>	15
<b>TOTAL</b>	<b>100</b>

**Commented [KG35]:** @Jeff Windsor I thought we'd already made EJ a standard eval criterion for DERA. Can you find the latest and revise the table as needed, or at least add a point value to this line?

**Commented [JW36R35]:** we did for EVUM-Small but not DERA; I gave it 10pt and took off 10 from cost effectiveness

**Commented [KG37]:** @Jeff Windsor please add the 5 pts each for workforce readiness and climate change planning.

**Commented [KG38R37]:** You probably want to add a header (how about Other Program?) and put Outreach, workforce and planning under it.

**Commented [KG39R37]:** Thanks! I rearranged the criteria weighting, fyi, for your eval survey prep @Jeff Windsor .

## V. Pre-Application Information and Q&A

A Pre-Application meeting will be held on October 5, 2023, at 10:00AM CDT. During the meeting, MEC staff will conduct a walk-through of the RFA document. The meeting will be conducted online only; attendees should register for this meeting to receive join credentials or to receive a recording after the event:

### GoToWebinar Registration URL

<https://register.gotowebinar.com/register/7757946671712157021>

Applicants will have the opportunity to ask questions about the program and application process. A recording of the meeting will be made for prospective Applicants who cannot participate at this time, and it will be posted on the RFA web page.

Applicants are also encouraged to submit questions in writing to Jeff Windsor at Metropolitan Energy Center at [rfa@metroenergy.org](mailto:rfa@metroenergy.org). Questions will be accepted until October 27, 2023. MEC will try to respond to all questions publicly via an FAQ on its website, at <https://metroenergy.org/procurement>. Emails should use the subject line: "Query for DERA RFA".

## VI. Application Submission

Applications must be received by November 2, 2023. MEC is not responsible for technical or transmittal issues when submitting a grant application. All applications with a MEC inbox timestamp of 2:00 PM CST or after will be disqualified from the current funding round. Only electronic applications will be accepted. Hard copy applications will not be accepted. Please e-mail your application to [rfa@metroenergy.org](mailto:rfa@metroenergy.org) subject: "Clean Diesel FY23 Funding <Applicant Name>". Applicants will receive an e-mail response notification of the receipt of their application within two business days upon submission.

MEC is not responsible for technical or transmittal issues when submitting a grant application. All applications with a MEC inbox timestamp of 2:00 PM CDT or after will automatically be disqualified from the current funding round with no exceptions. Only electronic applications will be accepted. Hard copy applications will not be accepted. Please e-mail your application to [rfa@metroenergy.org](mailto:rfa@metroenergy.org) subject: "Clean Diesel FY23 Funding <Applicant Name>". Applicants will receive an e-mail response notification of the receipt of their application within two business days upon submission.

**Table 5: Summary of Application Documents**

Required	Application Form
Required	Budget Table/Fleet Worksheet
Required	Letter of Commitment (for Applicant and any cost-sharing partners)
Optional (recommended)	Vendor quotes
Optional	Letters of Support (for non-cost-sharing community partners or supporters)

## VII. Selection Process

Additional information may be requested from Applicants by MEC prior to final award determination. MEC is under no obligation to fund any application and reserves the right to deny applications for any reason. Funding is limited. Applications meeting all the program's general policy guidelines may not necessarily receive an award. MEC reserves the right to delay any decision due to budgetary constraints.

MEC reserves the right to vary from the evaluation criteria listed within this document during the bid solicitation period as necessary or appropriate. Any modifications to evaluation criteria will be posted to MEC's website. It is the responsibility of the Applicant to check for these changes.

The Selection Notices are anticipated to be made in early/mid-November, and Applicants will be notified of the Review Committee's determinations via email. Awardees are expected to sign and return

Commented [JW40]: I un-highlighted yesterday and today and it stays like this

Commented [KG41]: @Jeff Windsor please review the RFA for application name and email submission information. I think we might be a little inconsistent.

Commented [DA42]: Daylight Savings Time runs through 11/5

Commented [DA43]: List this as a separate item?

the Agreement to MEC within 4 weeks of receiving the document unless otherwise noted in writing by the MEC Contract Specialist.

Funding decisions are final. Funds awarded are based on a competitive process where applications are weighed against other applications and overall program goals. Changes unapproved by MEC to an awarded Applicant's scope of work after funds are awarded will not be allowed and may result in the nullification of the award.

## **VIII. Administrative Information**

### **A. Proprietary/Confidential Information**

Any restrictions of the use of or inspection of material contained within the application shall be clearly stated in the application itself. Written requests by the Applicant for confidentiality shall be submitted to MEC in advance of the application submission deadline, along with the application material. The Applicant must state specifically what elements of the application are to be considered confidential/proprietary.

Confidential/Proprietary information must be clearly identified, marked, and separated/ packaged from the rest of the application. Co-mingling of confidential/proprietary and other information is not acceptable. Neither an application in its entirety, nor application price information will be considered confidential and proprietary. Any information that will be included in any resulting Agreement cannot be considered confidential.

### **B. Organizational Conflict of Interest – Requirements of this Application and Subsequent Agreement**

Any business entity or person is prohibited from being awarded an Agreement, if the business entity or person has an "Organizational Conflict of Interest", as described below, with regard to this solicitation and the resulting Agreement. Applicants should provide a brief written statement noting any conflict of interest.

No person or business entity engaged by MEC to prepare the original grant application, or who has access prior to the solicitation to sensitive information related to this procurement process, including, but not limited to requirements, statements of work, or evaluation criteria, will be eligible to directly or indirectly submit or participate in the submission of an application for this grant solicitation. MEC considers such engagement or access to be an Organizational Conflict of Interest, which would cause such business entity or person to have an unfair competitive advantage.

If MEC determines that an Organizational Conflict of Interest exists, MEC has discretionary power to cancel the Agreement award. In the event the Awarded Applicant was aware of an Organizational Conflict of Interest prior to the award of the Agreement and did not disclose the conflict to the procuring agency, MEC may terminate the Agreement for default.

### **C. RFA Response Material Ownership**

MEC has the right to retain Applicants' original applications and other RFA response materials for its files. As such, MEC may retain or dispose of all copies as is lawfully deemed appropriate. MEC has the right to use any or all information/material presented in reply to the RFA, subject to limitations outlined in the section, Proprietary/Confidential Information. Applicant expressly agrees that MEC may use the materials for all lawful purposes, including the right to reproduce copies of the material submitted for purposes of evaluation, and to make the information available as required by law or regulation.

### **D. Binding Offer**

An application submitted in response to this RFA shall constitute a binding offer. Acknowledgment of this condition shall be indicated by the signature on the application of the Applicant or an officer of the Applicant legally authorized to execute contractual obligations and shall bind the Applicant to the application. By submitting an application, the Applicant affirms its acceptance of the terms and requirements of this RFA, including its attachments and appendices, without exception, deletion, or qualification - and does so without making its offer contingent. The Applicant further agrees to cooperate



with MEC and expedite the contracting process upon notice of award. *MEC reserves the right to make partial awards or no awards.*

#### **E. Debarment and Suspension**

By submitting an application in response to this RFA the Applicant certifies that it, its principals, and proposed sub-contractors (if any):

- Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal debarment or agency;
- Have not within a three-year period preceding the Due Date of this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or Agreement under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
- Are not presently under investigation for, indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in Paragraph IV.K.2 of the Code of Federal Regulations (CFR); and
- Have not within a three-Year period preceding the Due Date of this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

If the Applicant is unable to certify to any of the statements in this certification, an explanation must be provided as an attachment to the application. This explanation is exempt from page limitations on the application, if any apply. The inability of the Applicant to provide the certification will not necessarily result in disqualification of the Applicant. The explanation will be considered in connection with MEC's determination whether to select an Applicant.

#### **F. Disclaimer**

All statistical and fiscal information contained within this RFA, and any amendments and modifications thereto, reflect the best and most accurate information available to MEC at the time of RFA preparation. No inaccuracies in such data shall constitute a basis for legal recovery of damages or protests, either real or punitive, except to the extent that any such inaccuracy was a result of intentional misrepresentation by MEC.

#### **G. Federal Employer Identification Number (FEIN)**

Applicant is required to provide their FEIN in their application.

#### **H. Unique Entity Identifier (UEI) Number**

The federal government no longer uses the Data Universal Numbering System ("DUNS Number") to identify business and organizations. Instead, the Unique Entity Identifier is required to participate in federal grant and other programs. Applicants for this funding are required to provide their UEI as part of their application, or to generate a UEI immediately upon selection.

Organizations registered with the System for Award Management ("SAM") have already been provided a UEI and can simply visit <https://sam.gov/content/home> to retrieve their UEI. To apply for a UEI, please visit <https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/iae-systems-information-kit/unique-entity-identifier-update> for detailed information and instructions.

#### **I. Incurred Cost**

MEC is not liable for any cost incurred by the Applicant prior to issuance of a legally executed Agreement, purchase order or other authorized acquisition document.

#### **J. Compliance with all Federal, State and Municipal Laws and Regulations**

Successful Applicants (Beneficiary) shall comply with applicable Federal, State, and local laws and regulations in the performance of all work under resulting Agreement. Beneficiary shall obtain all

Federal, State, and local permits, authorizations, and approvals of all work performed under the Agreement. This includes the governing grant agreement between MEC and EPA. See attached Prime Award Flowdown (Terms and Conditions).

#### **K. Beneficiary**

Successful Applicants who complete a contract agreement will be considered a Beneficiary of the Grant. Beneficiary will manage and expend funding to maximize these benefits, including commencing expenditures and activities as quickly as possible, consistent with prudent management. Contract planning, evaluation, and award to vendors will be required to align with the program's core goal as stated above.

### **IX. Beneficiary Reporting and Payment Procedures**

All funding is conditioned upon veracity of information provided within the application and will require accountability and reporting by the successful Applicant (Beneficiary). Such reporting will be in accordance with the procedures developed and prescribed by MEC. MEC staff will also conduct periodic site visits during and after installation to ensure compliance with the Agreement. The following reporting requirements will be included in MEC's Agreement with the Beneficiary:

#### **A. Progress Reporting**

Beneficiaries will participate in monthly status calls with other project participants. In addition, it will submit on a quarterly basis a written progress report of activities under this Grant. The preparation of reports in a timely manner will be the responsibility of Beneficiary and failure to comply may result in the delay of payment of funds and/or termination of the Grant.

The report will refer to the status of work to be performed pursuant to this Grant, including a description of the deliverables and tasks completed during the reporting period. It will include a description of any findings or results, any unanticipated outcomes or roadblocks encountered, and any potential future applications of project results. The report will indicate clearly whether work is proceeding according to schedule, ahead of schedule or behind schedule. If the work is behind schedule, the report must include a summary of the reasons for the delay and a plan of action to bring the project back on schedule, which will be subject to review and approval by the MEC prior to implementation.

Beneficiary will produce and submit to MEC a project completion report that provides a technical account of the total work performed and contains a comprehensive description of the work tasks specified herein, the results achieved, documenting the success/lessons learned/technology implementation of the project and shall include a financial status summary outlining expenditures.

Through the life of the project, Beneficiary will track performance metrics of deployed and installed equipment, including fuel volume used and/or dispensed, successes and problems encountered, and lessons learned.

Compliance with all local building and operational codes, as demonstrated by a signed permit or similar from the local Authority Having Jurisdiction (AHJ) is required for construction activities. Non-compliance will result in the nullification of the Agreement and repayment of any Grant funds received by the Beneficiary.

#### **B. Annual Reporting**

After the project concludes and through the life of the vehicles and/or deployed/installed equipment, Beneficiary will track and report to MEC on an annual basis performance metrics of deployed and installed equipment, including fuel volume used and/or dispensed, successes and problems encountered, and lessons learned. This data and information will aggregate with our Clean Cities Annual Report to help justify program funding to the Clean Cities network nationwide.

#### **C. Payments**

The following payment procedures will be included in MEC's Agreement with the Beneficiary:

Payments must be made in accordance with the provisions set forth in the Grant. MEC will pay Beneficiary the reasonable, allocable, and allowable costs for eligible vehicles purchased or equipment installed based on satisfactory monthly progress and required documentation of the work defined in the Grant, as determined by MEC.

The Beneficiary will be compensated only for equipment installed by the Beneficiary and accepted by MEC pursuant to the terms of the Grant. Payment will also be contingent upon MEC's timely receipt and acceptance of the required reports described herein.

The Beneficiary will be reimbursed based on the submission of a Request for Payment and an Invoicing Report form provided by MEC providing a detailed account of the amount of costs, including receipts/invoices, incurred relating to line items per the project budget. MEC will withhold payment of the final ten percent (10%) of the total amount until the Beneficiary has submitted, and MEC has accepted, all required narrative and financial progress reports enumerated in the Grant and Agreement.

For more information:

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