

## BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

---

Beneficiary \_\_\_\_\_

Lead Agency Authorized to Act on Behalf of the Beneficiary \_\_\_\_\_  
*(Any authorized person with delegation of such authority to direct the Trustee delivered to the Trustee pursuant to a Delegation of Authority and Certificate of Incumbency)*

<b>Action Title:</b>	
<b>Beneficiary's Project ID:</b>	
<b>Funding Request No.</b>	<i>(sequential)</i>
<b>Request Type:</b> (select one or more)	<input type="checkbox"/> Reimbursement <span style="float: right;"><input type="checkbox"/> Advance</span> <input type="checkbox"/> Other (specify): _____
<b>Payment to be made to:</b> (select one or more)	<input type="checkbox"/> Beneficiary <input type="checkbox"/> Other (specify): _____
<b>Funding Request &amp; Direction (Attachment A)</b>	<input type="checkbox"/> Attached to this Certification <input type="checkbox"/> To be Provided Separately

### SUMMARY

<b>Eligible Mitigation Action</b> <input type="checkbox"/> Appendix D-2 item (specify): _____ <b>Action Type</b> <input type="checkbox"/> Item 10 - DERA Option (5.2.12) (specify and attach DERA Proposal): _____			
<b>Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):</b>			
<b>Estimate of Anticipated NOx Reductions (5.2.3):</b>			
<b>Identification of Governmental Entity Responsible for Reviewing and Auditing Expenditures of Eligible Mitigation Action Funds to Ensure Compliance with Applicable Law (5.2.7.1):</b>			
<b>Describe how the Beneficiary will make documentation publicly available (5.2.7.2).</b>			
<b>Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8).</b>			
Total project budget:	Project costs paid by the Trust:		Cost share requirement:
\$ 3,484,174.04	General Trust Costs	Project Admin Costs	\$ 3,139,174.04
	\$ 300,000.00	\$ 45,000.00	
<b>Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9).</b>			
NDEP sent emails to the representatives from the U.S. Department of the Interior and the U.S. Department of Agriculture listed in subparagraph 4.2.8 of the State Trust Agreement on February 23, 2018.			

If applicable, describe how the mitigation action will mitigate the impacts of NOx emissions on communities that have historically borne a disproportionate share of the adverse impacts of such emissions (5.2.10).

**ATTACHMENTS**  
(CHECK BOX IF ATTACHED)

- Attachment A Funding Request and Direction.
- Attachment B Eligible Mitigation Action Management Plan Including Detailed Budget and Implementation and Expenditures Timeline (5.2.4).
- Attachment C Detailed Plan for Reporting on Eligible Mitigation Action Implementation (5.2.11).
- Attachment D Detailed cost estimates from selected or potential vendors for each proposed expenditure exceeding \$25,000 (5.2.6). [Attach only if project involves vendor expenditures exceeding \$25,000.]
- Attachment E DERA Option (5.2.12). [Attach only if using DERA option.]
- Attachment F Attachment specifying amount of requested funding to be debited against each beneficiary's allocation (5.2.13). [Attach only if this is a joint application involving multiple beneficiaries.]

**CERTIFICATIONS**

By submitting this application, the Lead Agency makes the following certifications:

1. This application is submitted on behalf of Beneficiary \_\_\_\_\_, and the person executing this certification has authority to make this certification on behalf of the Lead Agency and Beneficiary, pursuant to the Certification for Beneficiary Status filed with the Court.
2. Beneficiary requests and directs that the Trustee make the payments described in this application and Attachment A to this Form.
3. This application contains all information and certifications required by Paragraph 5.2 of the Trust Agreement, and the Trustee may rely on this application, Attachment A, and related certifications in making disbursements of trust funds for the aforementioned Project ID.
4. Any vendors were or will be selected in accordance with a jurisdiction's public contracting law as applicable. (5.2.5)
5. Beneficiary will maintain and make publicly available all documentation submitted in

support of this funding request and all records supporting all expenditures of eligible mitigation action funds subject to applicable laws governing the publication of confidential business information and personally identifiable information. (5.2.7.2)

**DATED:** 3/14/19

Danilo Dragoni, PhD

[NAME]

[SIGNATURE]

Chief, Bureau of Air Quality Planning

[TITLE]

Nevada Division of Environmental Protection

[LEAD AGENCY]

**for**

Nevada

[BENEFICIARY]

**DETAILED DESCRIPTION OF MITIGATION ACTION ITEM INCLUDING  
COMMUNITY AND AIR QUALITY BENEFITS (5.2.2)**

The Nevada Division of Environmental Protection (NDEP) is submitting this Eligible Mitigation Action Category 2 – Class 4-8 School Bus, Shuttle Bus, or Transit Bus (Eligible Buses) replacement project to support the early retirement and replacement of 5 diesel-powered transit buses owned and operated by the Southern Nevada Regional Transportation Commission (Southern NV RTC) located in Clark County, Nevada. Upon completion of the project, the permanent scrapping of these Government owned transit buses for brand new, compressed natural gas replacements will provide a direct benefit to air quality.

The details regarding the individual units being replaced through this project as well as the replacement units are included on page 5 of this submission. The NDEP will work with the Southern NV RTC on the scrapping of the program eligible transit buses and will coordinate with their staff for routine updates and possible site visits to ensure a timely and efficient completion of this project. The NDEP will not seek to have the Southern NV RTC reimbursed for this project until they have provided sufficient scrapping evidence to the NDEP.

The total, expected lifetime emissions reductions are provided in the table below (and detailed on page 7). Emissions reductions were calculated based on the approach for alternative fuel-all-electric replacements that the NDEP identifies on page 26 our Beneficiary Mitigation Plan.<sup>1</sup> Emissions reductions were quantified using the Microsoft Excel-based version of Argonne National Laboratory’s Alternative Fuel Life-Cycle Environmental and Economic Transportation (AFLEET) emissions quantifier.<sup>2</sup>

<b>Pollutant</b>	<b>Emissions Reductions (tons)</b>
NO <sub>x</sub>	10.467
PM <sub>2.5</sub>	0.222
CO	-78.706
PM <sub>10</sub>	0.241
VOC	0.668
SO <sub>x</sub>	0.056
GHGs	3,801.450

<sup>1</sup> Nevada’s Beneficiary Mitigation Plan can be found online at [https://ndep.nv.gov/uploads/air-vw-bmp-docs/beneficiary\\_mitigation\\_plan.pdf](https://ndep.nv.gov/uploads/air-vw-bmp-docs/beneficiary_mitigation_plan.pdf).

<sup>2</sup> Argonne National Laboratory’s AFLEET can be found online at <https://greet.es.anl.gov/afleet>.

Existing Vehicle/Engine Information						
Instructions/Units	Fleet Information	Unit 1	Unit 2	Unit 3	Unit 4	Unit 5
Examples include school bus, transit bus, freight truck, refuse truck, street sweeper, etc.	What is the vehicle's intended use?	Transit Bus	Transit Bus	Transit Bus	Transit Bus	Transit Bus
	Vehicle License Plate Number	EX54518	EX55234	EX55237	EX55082	EX55084
	Vehicle GVWR	50,927	50,927	50,927	50,927	50,927
	Vehicle Make	Alexander Dennis	Alexander Dennis	Alexander Dennis	Alexander Dennis	Alexander Dennis
	Vehicle Model	Trident E500	Trident E500	Trident E500	Trident E500	Trident E500
	Vehicle Model Year	2007	2007	2007	2007	2007
	Vehicle Identification Number	SFET223117GN11899	SFET223107GN11909	SFET223107GN11912	SFET223127GN11913	SFET223167GN11946
	Engine Make	Cummins	Cummins	Cummins	Cummins	Cummins
	Engine Model	ISM 330HP 10.8 Liter	ISM 330HP 10.8 Liter	ISM 330HP 10.8 Liter	ISM 330HP 10.8 Liter	ISM 330HP 10.8 Liter
	Engine Model Year	2006	2006	2006	2006	2006
	Engine Serial Number	35184597	35185923	35185929	35184584	35185928
	Fuel Type	B5 USLD	B5 USLD	B5 USLD	B5 USLD	B5 USLD
(gallons)	Annual Fuel Used	18,689	21,023	20,436	22,235	19,549
	Annual Vehicle Mileage	46,235	46,859	45,717	46,904	48,410
	Total Vehicle Mileage	461,323	436,346	477,076	436,889	458,914
	Total Engine Mileage					
(years)	Remaining Vehicle Life	3	3	3	3	3
Year in which vehicle would normally be retired/sold by the fleet owner if not for this grant	Normal Attrition Year	FY20	FY20	FY20	FY20	FY20
Replacement/Repower Vehicle/Engine Information						
Instructions/Units	Fleet Information	Unit 1	Unit 2	Unit 3	Unit 4	Unit 5
	Vehicle GVWR	69,170	43,820	43,820	43,820	43,820
	Vehicle Make	New Flyer	New Flyer	New Flyer	New Flyer	New Flyer
	Vehicle Model	Xcelsior XN60	Xcelsior XN40	Xcelsior XN40	Xcelsior XN40	Xcelsior XN40
	Vehicle Model Year	2020	2020	2020	2020	2020
	Engine Make	Cummins	Cummins	Cummins	Cummins	Cummins
	Engine Model	ISL-G L9N 320 HP	ISL-G L9N 280 HP	ISL-G L9N 280 HP	ISL-G L9N 280 HP	ISL-G L9N 280 HP
	Engine Model Year	2019	2019	2019	2019	2019
	Fuel Type	CNG	CNG	CNG	CNG	CNG
	Unit Replacement/Repower Cost	\$ 944,167.59	\$ 623,751.61	\$ 623,751.61	\$ 623,751.61	\$ 623,751.61

Unit	Unit Cost	Requested Amount	Emissions Reductions (tons)						
			NOx	PM2.5	CO	PM10	VOC	SOx	GHGs
Unit 1	\$ 944,167.59	\$ 60,000.00	2.0669	0.0438	-15.5427	0.0476	0.1319	0.0103	696.9856
Unit 2	\$ 623,751.61	\$ 60,000.00	2.0948	0.0444	-15.7525	0.0482	0.1337	0.0116	784.0235
Unit 3	\$ 623,751.61	\$ 60,000.00	2.0438	0.0433	-15.3688	0.0471	0.1304	0.0113	762.1652
Unit 4	\$ 623,751.61	\$ 60,000.00	2.0969	0.0444	-15.7678	0.0483	0.1338	0.0123	829.2244
Unit 5	\$ 623,751.61	\$ 60,000.00	2.1642	0.0458	-16.2742	0.0498	0.1381	0.0108	729.0514
<b>Total</b>	<b>\$ 3,439,174.04</b>	<b>\$ 300,000.00</b>	<b>10.4667</b>	<b>0.2217</b>	<b>-78.7059</b>	<b>0.2411</b>	<b>0.6678</b>	<b>0.0562</b>	<b>3,801.450</b>

## ATTACHMENT FOR 5.2.7.2

### Describe how the Beneficiary will make documentation publicly available

Subparagraph 5.2.7.2 of the Environmental Mitigation Trust Agreement for State Beneficiaries requires that Beneficiaries include in their funding requests:

*A commitment by the Beneficiary to maintain and make publicly available all documentation submitted in support of the funding request and all records supporting all expenditures of Eligible Mitigation Action funds, subject to applicable laws governing the publication of confidential business information and personally identifiable information, together with an explanation of the procedures by which the Beneficiary shall make such documentation publicly available;*

The Nevada Division of Environmental Protection (NDEP), the Lead Agency for the State of Nevada, is committed to maintaining and making publicly available all documentation submitted support of the funding requests and all records supporting all expenditures of Eligible Mitigation Action funds, subject to applicable laws governing the publication of confidential business information and personally identifiable information.

The public will be able to view these records on the NDEP's website (<https://ndep.nv.gov>). The NDEP will maintain these records on a Volkswagen (VW) Environmental Mitigation Trust Fund specific webpage that will be designed to support public access and limit burden for the general public. The NDEP's VW specific webpage can currently be found at <https://ndep.nv.gov/air/vw-settlement>.

The NDEP has created an electronic listserv, open to the public, used to communicate news, events, and information related the Environmental Mitigation Trust Fund (Mitigation Fund). The listserv, NevadaVWFund, is advertised through the NDEP website and at public events related to the Mitigation Fund.

Furthermore, the Senate Committee on Finance and the Assembly Committee on Ways and Means of the Nevada Legislature has requested<sup>1</sup> "that the Division of Environmental Protection provide semiannual reports to the Interim Finance Committee regarding the status of the Volkswagen settlement and the Mitigation Fund, including recommendations by established working groups for the proposed activities to be supported by the settlement funds, and the process established to distribute settlement funds in accordance with the settlement terms." The meetings of the Interim Finance Committee follow the Nevada Open Meeting Law (Nevada Revised Statues Chapter 241).

This commitment by the NDEP is subject to the following Nevada laws governing the publication of confidential business information and personally identifiable information.

**Chapters 603A and 239B of the Nevada Revised Statutes (NRS)** provide definitions and requirements for handling *personal information*.

<sup>1</sup> Letter from state Senator Joyce Woodhouse, Chair of the Senate Committee on Finance - September 29, 2017

NRS Section 603A.040 defines ‘Personal Information’ as:

1. *“Personal information” means a natural person’s first name or first initial and last name in combination with any one or more of the following data elements, when the name and data elements are not encrypted:*
  - (a) *Social security number.*
  - (b) *Driver’s license number, driver authorization card number or identification card number.*
  - (c) *Account number, credit card number or debit card number, in combination with any required security code, access code or password that would permit access to the person’s financial account.*
  - (d) *A medical identification number or a health insurance identification number.*
  - (e) *A user name, unique identifier or electronic mail address in combination with a password, access code or security question and answer that would permit access to an online account.*
2. *The term does not include the last four digits of a social security number, the last four digits of a driver’s license number, the last four digits of a driver authorization card number or the last four digits of an identification card number or publicly available information that is lawfully made available to the general public from federal, state or local governmental records.*

NRS Section 239B.030 – *Recorded, filed or otherwise submitted documents* - states that:

1. *Except as otherwise provided in subsections 2 and 6, a person shall not include and a governmental agency shall not require a person to include any personal information about a person on any document that is recorded, filed or otherwise submitted to the governmental agency on or after January 1, 2007.*
2. *If personal information about a person is required to be included in a document that is recorded, filed or otherwise submitted to a governmental agency on or after January 1, 2007, pursuant to a specific state or federal law, for the administration of a public program or for an application for a federal or state grant, a governmental agency shall ensure that the personal information is maintained in a confidential manner and may only disclose the personal information as required:*
  - (a) *To carry out a specific state or federal law; or*
  - (b) *For the administration of a public program or an application for a federal or state grant.*

➤ *Any action taken by a governmental agency pursuant to this subsection must not be construed as affecting the legality of the document.*
3. *A governmental agency shall take necessary measures to ensure that notice of the provisions of this section is provided to persons with whom it conducts business. Such notice may include, without limitation, posting notice in a conspicuous place in each of its offices.*
4. *A governmental agency may require a person who records, files or otherwise submits any document to the governmental agency to provide an affirmation that the document does not contain personal information about any person or, if the document contains any such personal information, identification of the specific law, public program or grant that requires the inclusion of the personal information. A governmental agency may refuse to record, file or otherwise accept a document which does not contain such an affirmation when required or any document*



*which contains personal information about a person that is not required to be included in the document pursuant to a specific state or federal law, for the administration of a public program or for an application for a federal or state grant.*

5. *Each governmental agency may ensure that any personal information contained in a document that has been recorded, filed or otherwise submitted to the governmental agency before January 1, 2007, which the governmental agency continues to hold is:*

*(a) Maintained in a confidential manner if the personal information is required to be included in the document pursuant to a specific state or federal law, for the administration of a public program or for an application for a federal or state grant; or*

*(b) Obliterated or otherwise removed from the document, by any method, including, without limitation, through the use of computer software, if the personal information is not required to be included in the document pursuant to a specific state or federal law, for the administration of a public program or for an application for a federal or state grant.*

↪ *Any action taken by a governmental agency pursuant to this subsection must not be construed as affecting the legality of the document.*

6. *A person may request that a governmental agency obliterate or otherwise remove from any document submitted by the person to the governmental agency before January 1, 2007, any personal information about the person contained in the document that is not required to be included in the document pursuant to a specific state or federal law, for the administration of a public program or for an application for a federal or state grant or, if the personal information is so required to be included in the document, the person may request that the governmental agency maintain the personal information in a confidential manner. If any documents that have been recorded, filed or otherwise submitted to a governmental agency:*

*(a) Are maintained in an electronic format that allows the governmental agency to retrieve components of personal information through the use of computer software, a request pursuant to this subsection must identify the components of personal information to be retrieved. The provisions of this paragraph do not require a governmental agency to purchase computer software to perform the service requested pursuant to this subsection.*

*(b) Are not maintained in an electronic format or not maintained in an electronic format in the manner described in paragraph (a), a request pursuant to this subsection must describe the document with sufficient specificity to enable the governmental agency to identify the document.*

↪ *The governmental agency shall not charge any fee to perform the service requested pursuant to this subsection.*

7. *As used in this section:*

*(a) "Governmental agency" means an officer, board, commission, department, division, bureau, district or any other unit of government of the State or a local government.*

*(b) "Personal information" has the meaning ascribed to it in [NRS 603A.040](#).*

**Chapter 239 of the NRS** provides general principles for the definition and the handling of public records. In particular, subsection 239.010.3 states that:

*A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is*

*confidential if the governmental entity can redact, delete, conceal or separate the confidential information from the information included in the public book or record that is not otherwise confidential.*

**Chapter 445B of the NRS (Air Controls)** specifically provides further directions on what is confidential information and how such information must be handle in the context of the Air Program of the NDEP. In particular section 445B.570 – *Confidentiality and use of information obtained by Department*<sup>2</sup>; penalty – states that (footnotes added for clarity):

1. *Any information which the Department obtains in the course of the performance of its duties pursuant to the provisions of this chapter is public information unless otherwise designated as confidential information pursuant to the provisions of this section.*
2. *The emission of an air contaminant which has an ambient air quality standard or emission standard or has been designated as a hazardous air pollutant by regulation of the Commission cannot be certified as being confidential.*
3. *Any confidential information received by the Commission<sup>3</sup>, the Director<sup>4</sup> or any local control authority which is certified in writing to the recipient as confidential by the owner or operator disclosing the information and verified and approved in writing as confidential by the recipient must, unless the owner expressly agrees to its publication or availability to the public, be used only:
  - (a) *In the administration or formulation of air pollution controls;*
  - (b) *In compiling or publishing analyses or summaries relating to the condition of the outdoor atmosphere which do not identify any owner or operator or reveal any confidential information;*or
  - (c) *In complying with federal statutes, rules and regulations.**
4. *This section does not prohibit the use of confidential information in a prosecution for the violation of any statute, ordinance or regulation for the control of air pollution.*
5. *A person who discloses or knowingly uses confidential information in violation of this section is guilty of a misdemeanor, and is liable in tort for any damages which may result from such disclosure or use.*
6. *As used in this section, “confidential information” means information or records which:
  - (a) *Relate to dollar amounts of production or sales;*
  - (b) *Relate to processes or production unique to the owner or operator; or*
  - (c) *If disclosed, would tend to affect adversely the competitive position of the owner or operator.**

<sup>2</sup> Nevada Department of Conservation and Natural Resources (DCNR)

<sup>3</sup> Nevada State Environmental Commission

<sup>4</sup> Director of the Department of Conservation and Natural Resources

**ATTACHMENT B**

**ELIGIBLE MITIGATION ACTION MANAGEMENT PLAN INCLUDING DETAILED  
BUDGET AND IMPLEMENTATION AND EXPENDITURES TIMELINE**

**ATTACHMENT B**

**PROJECT MANAGEMENT PLAN PROJECT SCHEDULE AND MILESTONES**

<b>Milestone</b>	<b>Date</b>
NDEP begins solicitation for projects through the competitive Diesel Emission Mitigation Fund	CY 2018, Q2
Project partner submits application to NDEP	CY 2018, Q3
NDEP selects project partner for funding and enters into Subgrant Agreement	CY 2019, Q1
Project partner enters into Contracts, Purchase Orders, etc.	CY 2019, Q1
NDEP Submits and Trustee acknowledges receipt of project certification and funding direction	CY 2019, Q1
NDEP submits second "Advancement" payment request to Trustee	CY 2019, Q3
NDEP submits third "Advancement" payment request to Trustee	CY 2019, Q4
NDEP submits fourth "Advancement" payment request to Trustee	CY 2020, Q1
NDEP submits fifth "Advancement" payment request to Trustee	CY 2020, Q2
Project partner begins receiving new equipment	CY 2020, Q2
Project Partner begins scrapping old transit buses as new buses are received	CY 2020, Q2
Project partner provides final invoice for equipment replacement to NDEP	CY 2020, Q2
NDEP completes review and certifies payment direction to Trustee (Reimbursement)	CY 2020, Q2
Trustee acknowledges receipt of direction for payment (Reimbursement)	CY 2020, Q2
NDEP reports project completion	CY 2020, Q2

## PROJECT BUDGET

Budget Category	Admin Expenses	Share of Replacement Budget Funded by the Trust	Cost Share (Paid by Project Partner)	Subtotal
<b>Admin Expenditures<sup>1</sup></b>				
Initial Payment Request	\$ 5,000.00			\$ 5,000.00
Second Payment Request	\$ 5,000.00			\$ 5,000.00
Third Payment Request	\$ 5,000.00			\$ 5,000.00
Fourth Payment Request	\$ 5,000.00			\$ 5,000.00
Fifth Payment Request	\$ 5,000.00			\$ 5,000.00
Final Payment Request	\$ 20,000.00			\$ 20,000.00
<b>Admin Expenditure Subtotal</b>	<b>\$ 45,000.00</b>			<b>\$ 45,000.00</b>
<b>Equipment Expenditures</b>				
1 CNG New Flyer Xcelsior XN60		\$ 60,000.00	\$ 884,167.59	\$ 944,167.59
1 CNG New Flyer Xcelsior XN40		\$ 60,000.00	\$563,751.61	\$ 623,751.61
<b>Subtotal for 1 CNG New Flyer Xcelsior XN60</b>		<b>\$ 60,000.00</b>	<b>\$ 884,167.59</b>	<b>\$ 944,167.59</b>
<b>Subtotal for 4 CNG New Flyer Xcelsior XN40s</b>		<b>\$ 240,000.00</b>	<b>\$ 2,255,006.44</b>	<b>\$ 2,495,006.44</b>
<b>Subtotal for Equipment</b>		<b>\$ 300,000.00</b>	<b>\$ 3,139,174.03</b>	<b>\$ 3,439,174.03</b>
<b>Project Totals</b>	<b>\$ 45,000.00</b>	<b>\$ 300,000.00</b>	<b>\$3,139,174.03</b>	<b>\$ 3,484,174.03</b>
Associated Percentages	15% of Total Trust Project Cost	8.7% of Replacement Cost	91.2% of Replacement Cost	

<sup>1</sup> The NDEP is planning to submit five “Advancement” payment requests to the Trustee to support the NDEP’s Administrative expenses associated with this project and one “Reimbursement” payment request to the Trustee that will include direction to provide funding to the NDEP for Administrative expenses and Southern Nevada Regional Transportation Commission for the replacement of the transit buses. The first “Advancement” request is included with this Beneficiary Eligible Mitigation Action Certification and the four that will follow are expected to be submitted at the beginning of the next calendar quarters—that is, July 1, 2019, September 1, 2019, etc.

**PROJECTED TRUST ALLOCATIONS**

<b>ANNUAL PROJECTIONS</b>	<b>2019</b>	<b>2020</b>
1. Anticipated annual project funding request to be paid through the Trust	\$ 15,000.00	\$ 330,000.00
2. Portion of anticipated project funding request to be paid through the Trust to cover Eligible Mitigation Action Administrative Expenditures	\$ 15,000.00	\$ 30,000.00
3. Portion of anticipated project funding request to be paid through the Trust to cover Eligible Mitigation Action Expenditures	\$ 0.00	\$ 300,000.00
4. Anticipated annual cost share	\$ 0.00	\$ 3,139,174.04
5. Anticipated total project funding by year (line 1 plus line 4)	\$ 15,000.00	\$ 3,469,174.04
<b>CUMULATIVE PROJECTIONS</b>		
6. Cumulative outstanding Trustee payments requested against cumulative approved Beneficiary allocation	\$ 7,370,543.27	
7. Cumulative Trustee payments made to date against cumulative approved Beneficiary allocation	\$ 684,068.10	
8. Beneficiary funding to be paid through the Trust for this project (sum of line 1)	\$ 345,000.00	
9. Total funding approved for Beneficiary Eligible Mitigation Actions, inclusive of current Action (sum of lines 6, 7, and 8)	\$ 8,399,611.37	
10. Beneficiary share of estimated funds remaining in Trust	\$ 24,189,956.38	
11. Estimated Beneficiary funds remaining in Trust after project completion (line 10 minus lines 6 and 8)	\$ 16,474,413.11	

**ATTACHMENT C**

**DETAILED PLAN FOR REPORTING ON ELIGIBLE MITIGATION ACTION  
IMPLEMENTATION**

## **ATTACHMENT C**

### **DETAILED PLAN FOR REPORTING ON ELIGIBLE MITIGATION ACTION IMPLEMENTATION**

The Nevada Division of Environmental Protection (NDEP) will provide detailed reporting on this Volkswagen (VW) Environmental Mitigation Trust Fund for State Beneficiaries Eligible Mitigation Action project in three ways: 1, timely updates to NDEP's VW Environmental Mitigation Trust Fund webpage; 2, semiannual reporting to the Nevada Legislature's Interim Finance Committee (IFC); and 3, Nevada's semiannual reporting obligation to Wilmington Trust (the "Trustee").

NDEP maintains a VW Environmental Mitigation Trust Fund specific webpage that has been designed to support public access and limit burden for the general public. The NDEP's VW specific webpage can currently be found at <https://ndep.nv.gov/air/vw-settlement>. Timely updates to the webpage will inform the general public on the project's status as well as when this Eligible Mitigation Action has been completed.

The Senate Committee on Finance and the Assembly Committee on Ways and Means of the Nevada Legislature have requested "that the Division of Environmental Protection provides semiannual reports to the IFC regarding the status of the Volkswagen settlement and the Mitigation Fund, including recommendations by established working groups for the proposed activities to be supported by the settlement funds, and the process established to distribute settlement funds in accordance with the settlement terms." The meetings of the IFC follow the Nevada Open Meeting Law (Nevada Revised Statutes Chapter 241). In the reports submitted to the IFC details describing the progress of implementing this Eligible Mitigation Action will be provided. In the report submitted immediately following the completion of the project, details describing the completion of the project will also be provided.

Subparagraph 5.3 of the Environmental Mitigation Trust Agreement for State Beneficiaries details Nevada's Reporting Obligations:

"For each Eligible Mitigation Action, no later than six months after receiving its first disbursement of Trust Assets, and thereafter no later than January 30 (for the preceding six-month period of July 1 to December 31) and July 30 (for the preceding six-month period of January 1 to June 30) of each year, each Beneficiary shall submit to the Trustee a semiannual report describing the progress implementing each Eligible Mitigation Action during the six-month period leading up to the reporting date (including a summary of all costs expended on the Eligible Mitigation Action through the reporting date). Such reports shall include a complete description of the status (including actual or projected termination date), development, implementation, and any modification of each approved Eligible Mitigation Action. Beneficiaries may group multiple Eligible Mitigation Actions and multiple sub-beneficiaries into a single report. These reports shall be signed by an official with the authority to submit the report for the Beneficiary and must contain an attestation that the information is true and correct and that the submission is made under penalty of perjury. To the extent a Beneficiary avails itself of the DERA Option described in Appendix D-2, that Beneficiary may submit its DERA Quarterly Programmatic Reports in satisfaction of its obligations under this Paragraph as to those Eligible Mitigation Actions funded through the DERA Option. The Trustee shall post each semiannual report on the State Trust's public-facing website upon receipt."



Finally, the NDEP shall, in the next semiannual report following the Trustee's approval of this project, describe the progress implementing this Eligible Mitigation Action that will include a summary of all costs expended on the Eligible Mitigation Action through the reporting date. The report will also include a complete description of the status, development, implementation (including project schedule and milestone updates), and any modification to this Eligible Mitigation Action.

**ATTACHMENT D**

**DETAILED COST ESTIMATES FROM SELECTED OR POTENTIAL VENDORS FOR  
EACH PROPOSED EXPENDITURE EXCEEDING \$25,000**



**NEW FLYER OF AMERICA**

May 1, 2018

Julio Ortiz  
Director of Fleet Services and Administration  
Regional Transportation Commission (RTC) of Southern Nevada  
600 S. Grand Central Parkway, Suite 350  
Las Vegas, NV  
89106

**Subject: Quotation for Heavy-Duty Low Floor Compressed Natural Gas (CNG) Transit Buses**

Dear Mr. Ortiz,

New Flyer is pleased to submit an option price quotation for the production of fifteen (15) 40' CNG and forty (40) 60' CNG buses based on New Flyer's contract with the Regional Transportation Commission.

The proposed buses will be technically configured as SR-2170 and SR-2171 respectively, including additional changes listed under Section 2 and 2A of our proposal submission.

The price for fifteen (15) 40' CNG buses is: **\$605,584 per bus**

The price for forty (40) 60' CNG buses is: **\$916,668 per bus**

**Delivery Proposal:** New Flyer is proposing a complete delivery of both orders by Q3 2019 based on receipt of a Notice to Proceed within 30 days of submission.

Please indicate your acceptance by signing and returning a copy of the Price Change Summary to New Flyer, attention Devon Quinn via email: [Devon.Quinn@newflyer.com](mailto:Devon.Quinn@newflyer.com).

Sincerely,

Devon Quinn – Technical Sales Analyst  
New Flyer

CC: Dave Cormack – Business Segment Director, Nicole Robertus – Technical Sales Manager,  
Mark Fisher – Regional Sales Manager