



Diesel Emissions Reduction Grant (DERG) Program for Equipment Replacement, Repower, Retrofit and Anti-Idle

Request for Proposals August 17, 2016

The State of Ohio Environmental Protection Agency (Ohio EPA) is soliciting proposals from all public sector and private sector (with a public sponsor) diesel fleets that will undertake vehicle/equipment replacement, repower, or retrofit for the purpose of emissions reduction in eligible Ohio counties. Fleets may also apply for idle reduction equipment.

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Ohio Diesel Emissions Reduction Grant (DERG) Program For Equipment Replacement, Repower, Retrofit & Anti-Idle

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SECTION 1: REQUEST FOR PROPOSALS (RFP) OVERVIEW

1.1 RFP Time Table

Release of RFP: Wednesday August 17, 2016
Information Session: Wednesday September 7, 10:00 a.m.–12:00 p.m. at the Ohio Department of Transportation, 1980 W. Broad Street, Columbus, OH 43223
Applicant Conference Calls: Wednesday September 14, 10:00 a.m.
Tuesday September 20, 1:00 p.m.
Users dial in to 1-877-372-2917 enter meeting ID 47821#
Deadline to Submit Proposals: **October 7, 2016 5:00 p.m.**
Announcement of Awards: December 16, 2016

Awarded projects cannot commence until all federal requirements have been met, which can take several months. DERG funds may not be used to reimburse grant recipients for any grant expenses, including equipment purchased, prior to execution of the Local Public Agency Agreement and obtaining federal authorization to proceed with the scope of work, as explained in Section 2.5 below. Applicants should plan accordingly for scheduling equipment purchases and installations.

The DERG Committee reserves the right to adjust the dates listed above, for whatever reasons it deems appropriate. The Committee also reserves the right to request additional information to assist in the review process; to reject any and all applications and make no awards under this program or make fewer and smaller awards than anticipated; or to fund partial projects.

1.2 Project Background

The Ohio Environmental Protection Agency (Ohio EPA) in partnership with the Ohio Department of Transportation (ODOT) announces the seventh round of the Diesel Emissions Reduction Grant (DERG) Program. Invited to apply are all public agency owned diesel engine fleets and privately owned diesel engine fleets with a public sponsor (Public-Private Partnerships) that will undertake vehicle/equipment replacement, repower, retrofit, or installation of anti-idle equipment for the purpose of emissions reduction in eligible Ohio counties. Public-Private Partnerships (PPP) are defined in the Federal Highway Administration (FHWA) Congestion Mitigation and Air Quality (CMAQ) Interim Program Guidance under MAP-21 issued November 12, 2013, http://www.fhwa.dot.gov/environment/air_quality/cmaq/policy_and_guidance/2013_guidance/index.cfm. Examples of acceptable PPP agreements are provided in Appendix E of this document. A map of eligible Ohio counties and townships is provided in Appendix D of this document.

Funds will be made available under the DERG program, from the Ohio Department of Transportation FHWA CMAQ Program federal appropriation fund. The CMAQ program was created under the federal Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and reauthorized under the Transportation Equity Act for the 21st Century (TEA-21), the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the Moving Ahead for Progress in the 21st Century Act (MAP-21) and, most recently, the Fixing America's Surface Transportation (FAST) Act.

The total funding available for this competitive funding cycle is **\$12,000,000** in federal CMAQ funds. **Approximately one third of those funds (\$4,000,000) will be allocated to public transit projects** in keeping with the recommendations and needs identified by ODOT in the Ohio Statewide Transit Study of 2015. **Another approximately \$4,000,000 will be allocated for school bus projects** in keeping with the need to protect children as one of the populations most vulnerable to the pollutants in diesel exhaust. **DERG applications will be considered for projects requesting at least fifty thousand dollars (\$50,000) and not more than one million dollars (\$1,000,000) in federal funds.**

The DERG eligibility chart included in Appendix C of this RFP and posted at <http://www.epa.ohio.gov/Portals/42/documents/DERG/Appendix%20C%20DERG%20eligibility%20chart%202016.xls> summarizes grant funding eligibility actions for on-road and off-road vehicles operated by public sector and private sector (or non-profit) entities. Private sector and nonprofit sector applicants must apply through a public sector partner such as a local government, public port authority, regional council of governments, or state agency such as the Ohio Air Quality Development Authority, Ohio Environmental Protection Agency, or Ohio Rail Development Commission. The Public Sponsor certifies that there is a public benefit to the proposed project, sufficient to justify the awarding of public funds to a private sector entity.

Three tenets associated with public financing of federal aid projects are **competition, transparency and documentation**. All applicants must commit to using appropriate methods of competitive purchasing. Private sector applicants in particular should understand that their applications and documentation regarding reimbursed expenses and purchases made with public funds become public records, and are subject to public record requests and external oversight agency compliance review. This information is not eligible for trade secret protection under Ohio law. Documentation regarding funded projects, including invoices submitted and approved for reimbursement, will reside in paper and electronic files in the Public Sponsor agency. Payment records at ODOT and Ohio EPA are also subject to public record requests and external oversight agency compliance review.

SECTION 2: PROGRAM REQUIREMENTS

2.1 Fund Reimbursement Policy

DERG is a reimbursement program and applicants must provide non-federal funding to cover expenses as they are incurred. Projects selected for funding will then be reimbursed *up to the amount authorized for that project* upon proper documentation that eligible expenses have already been paid by the awardee.

2.2 Twenty Percent Match Requirement

For projects that are selected, up to eighty percent (80%) of allowable project costs may be eligible for reimbursement from CMAQ funds, and only for allowable equipment purchases or work conducted **after** the project receives authorization from the US Department of Transportation and **after** invoices for work completed have been submitted by the awardee and approved by Ohio EPA or ODOT. Applicants are required to provide a minimum twenty percent (20%) in matching funds. Matching funds cannot be sourced from other federal funds or from in-kind services. Applications must include in the project scope description an explanation of the funding source that will be used to meet the match requirement, and a demonstration that the applicant can cover the full cost of the project prior to approval of the reimbursement. Applicants are encouraged to provide more than the minimum 20% match required, in order to score better in terms of cost effectiveness, as explained in Section 6 of this RFP.

2.3 Advertising and Bid Procedures

Projects selected to receive funding must comply with all competitive bid standards. Applicants must employ procurement procedures as approved by Ohio EPA and ODOT. Applicants are **strongly** encouraged to become familiar with the ODOT Office of Local Programs Procedures and Guidance webpage at <http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Pages/LocalLetProcesses.aspx> for guidance specific to the DERG program including project agreements and bid document templates. These procedures ensure compliance with ODOT and FHWA regulations and requirements. Specific steps in the procurement process are outlined in sections 2.4 and 2.5 below.

Information on the requirements for public advertising and competitive bidding of federal-aid projects can be found in the “Advertising, Sale and Award” chapter of the Locally-Administered Transportation Projects Manual of Procedures <http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Locallet%20Manual/Advertising%20Sale%20Award%20Roles%20and%20Responsibilities.pdf>.

2.4 Buy America

All DERG grant awardees must meet all applicable FHWA regulations, including Buy America regulations regarding steel and iron products and components. Since FHWA is unaware of any vehicle manufacturer that can certify that its vehicle is produced with 100% US steel and iron, all projects involving vehicle replacement must obtain a Buy America waiver. More details on FHWA Buy America requirements can be found on the ODOT Local Program Procedures and Guidance webpage at

<http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Forms/Revised%20Buy%20America%20Background%20and%20Waiver%20Request%20Process.pdf> and in the Buy America Certification Form and Guidance in Appendix I of this RFP. ODOT will submit the Buy America Waiver Request to FHWA on behalf of the DERG Awardee, so applicants should include complete information to support this waiver request in their application package. The Buy America waiver process includes federal public notice and comment requirements, so awardees should allow three to six months for issuance of this waiver from FHWA, and understand that the process may take longer.

2.5 Plan Specifications and Estimates (PS&E) Package and Federal Authorization

Once the grant award is announced, and after applicable Buy America requirements are satisfied, the awardee must develop a PS&E package in consultation with ODOT and the awardee's Public Sponsor agency. Awardees should allow several weeks for preparation and ODOT review of this package. The PS&E Package includes all items needed to demonstrate compliance with applicable federal and state standards and requirements, and to obtain federal authorization to advertise for bids:

- LPA Agreement signed by the authorized representative of the public sponsor and ODOT;
- A completed Buy America Certification Form from the project sponsor;
- Documentation of ODOT approval to specify any proprietary products or sole source waivers;
- Approved environmental document certifying project compliance with the National Environmental Policy Act (NEPA);
- Local sponsor certification that Right of Way required for the improvement is controlled (if applicable);
- Any plans, or standards and/or specifications, as appropriate to the project;
- Itemized estimate of costs for the project, certified by the Public Sponsor to be a true and accurate estimate of anticipated costs; and
- Bid proposal document to guide procurement and establish requirements applicable to the contract. The bid proposal document must properly

incorporate any applicable state and federal contract provisions as provided by ODOT.

Once the PS&E package is approved, ODOT will request a federal authorization from the Federal Highway Administration (FHWA) for the project. NO advertisement for bids may be allowed and no project-related expenditures may be incurred prior to obtaining a federal authorization. If the project is advertised or work were to begin before the federal authorization is received, the project will become ineligible for reimbursement.

Once federal authorization is received, the project sponsor will be given permission to begin advertisement. Projects must be advertised at least 21 days between the original date of advertisement and the date that bids are opened. Advertisement of the bidding opportunity must be published in a newspaper of general circulation in the county where the activity for which bids are submitted will be conducted. The sponsor agency will determine the low and best bidder in accordance with the requirements established in the bid proposal document. The rejection of any or all bids, or award of the contract to a bidder that was not the apparent low and best bid, must first be approved by ODOT. The reason for selecting a bidder must be documented to ensure all pre-award requirements of the contract have been fulfilled.

2.6 Record Maintenance

DERG awardees will be required to maintain all financial and other project related documentation consistent with Sections 14.4 and 14.5 of the LPA Agreement. In addition, awardees that are Public Private Partnerships shall also provide annual documentation that the vehicle or equipment is being operated at least 65% of the time in an Ohio CMAQ-priority area for a period of five years. A map of the applicable Ohio CMAQ-priority area is contained in Appendix D to this RFP. DERG applicants should therefore include in the project narrative a detailed explanation of the technology and/or procedures they will use to track and verify the movements of fleet vehicles. Additionally, records regarding the utilization and maintenance must be kept for the useful life of the vehicle/equipment.

2.7 Non-Performance

Applicants should not apply for a DERG grant until they have firm project scopes, firm project schedules, and firm project fiscal commitments. They should also have dedicated staff, including a Person in Responsible Charge of the project, to ensure compliance with the requirements of this guidance and the LPA Agreement in development, delivery, and maintenance of the project. This person will also serve as the primary contact for ODOT and/or Ohio EPA to coordinate project milestones and accomplishments. ODOT and Ohio EPA will

not consider or approve more than one scope change from what was included in the submitted DERG application.

If Ohio EPA determines that an awardee is not making satisfactory progress implementing the project, Ohio EPA may, in consultation with the Ohio Department of Transportation and the US Department of Transportation, revoke the grant and reallocate the funds to another eligible project applicant. Progress will be measured against the following milestones:

- Submittal of a complete PS&E package within **90 days** of a letter issued by Ohio EPA notifying the applicant that the DERG grant is being awarded, or within 90 days of receipt of a Buy America waiver if applicable;
- Submittal of the first invoices for reimbursement of allowed expenses no later than **one year** from date the project LPA agreement is executed with ODOT; and
- Submittal of final invoices for reimbursement of allowed expenses no later than **two years** from the date the project LPA agreement is executed with ODOT.

SECTION 3: APPLICATIONS

3.1 Project Application

Applications must be submitted electronically to the Ohio Department of Transportation no later than 5:00 p.m. on October 7, 2016. Proposals must be submitted electronically to https://odot.formstack.com/forms/2016_derq. No faxed, e-mailed or hand-delivered submittals will be accepted. Late submittals will not be considered. Applicants who do not receive email confirmation of receipt of their application within one business day should call 614-644-2873 or email derg@epa.ohio.gov.

Those who are awarded a grant under this program may submit a new proposal during a subsequent grant cycle. Each new proposal will be reviewed based upon the criteria set forth in these guidelines, and in relation to the quality of other proposals received during the same grant cycle.

3.2 Communication and Inquiries

Prior to the deadline for submission, two conference calls have been scheduled for questions from prospective applicants, on the dates indicated in section 1.1 of this RFP. Call information and notes will be posted on Ohio EPA's DERG Website at: <http://epa.ohio.gov/oeef/derg.aspx>. Prospective applicants are also encouraged to contact program staff members Alan.Harness@epa.ohio.gov at (614) 644-4838 with technology questions, or Carolyn.Watkins@epa.ohio.gov at (614) 644-3768 with financial questions.

SECTION 4: ELIGIBILITY

4.1 Project Type

Project types eligible for funding under DERG include the replacement, repower, retrofit, and/or installation of anti-idle equipment, of diesel powered public fleets¹ and Public-Private Partnership (PPP) fleets². Projects funded under this program must affect surface transportation system travel consistent with the FHWA's CMAQ Interim Program Guidance under MAP-21 issued November 12, 2013.³ Projects must result in reductions of oxides of nitrogen (NOx) and/or fine particulate matter (PM_{2.5}) emissions from pollutant sources. A chart summarizing eligibility by vehicle type is provided in Appendix C.

Projects must utilize engine systems certified by the United State Environmental Protection Agency (USEPA) and/or emission reduction or idle reduction technologies that have been verified by US EPA or the California Air Resources Board (CARB).

To be eligible for DERG grants, on-highway vehicles must be equipped with medium heavy-duty or heavy heavy-duty diesel certified engines. These engines are used in Class 5, 6, 7 and 8 vehicles, such as school and transit buses, refuse haulers, trucks, emergency and service vehicles. Note: all diesel powered school and public transit buses are eligible for DERG grants, regardless of the Class that the particular school bus falls into. See Figure 1 below for examples of all Class types.

Non-road vehicles or equipment working on Title 23 surface transportation construction projects based in Ohio CMAQ priority counties are DERG Program eligible. Only those costs associated with the vehicle/equipment components that produce emissions will be considered for funding.

Freight and intermodal capital projects, including maritime vessels, locomotives, and airport service vehicles are also DERG Program eligible. Maritime vessels may have one or more engines for propulsion and/or auxiliary power. Locomotives may include line-haul or switcher locomotives. The transportation function of these freight/intermodal projects needs to be emphasized.

¹ Including but not limited to: school buses, mass transit vehicles, refuse collection trucks, government fleets.

² Including but not limited to: trucks, locomotives and non-road construction equipment.

³ FHWA's CMAQ program guidance is available at

http://www.fhwa.dot.gov/environment/air_quality/cmaq/policy_and_guidance/2013_guidance/index.cfm

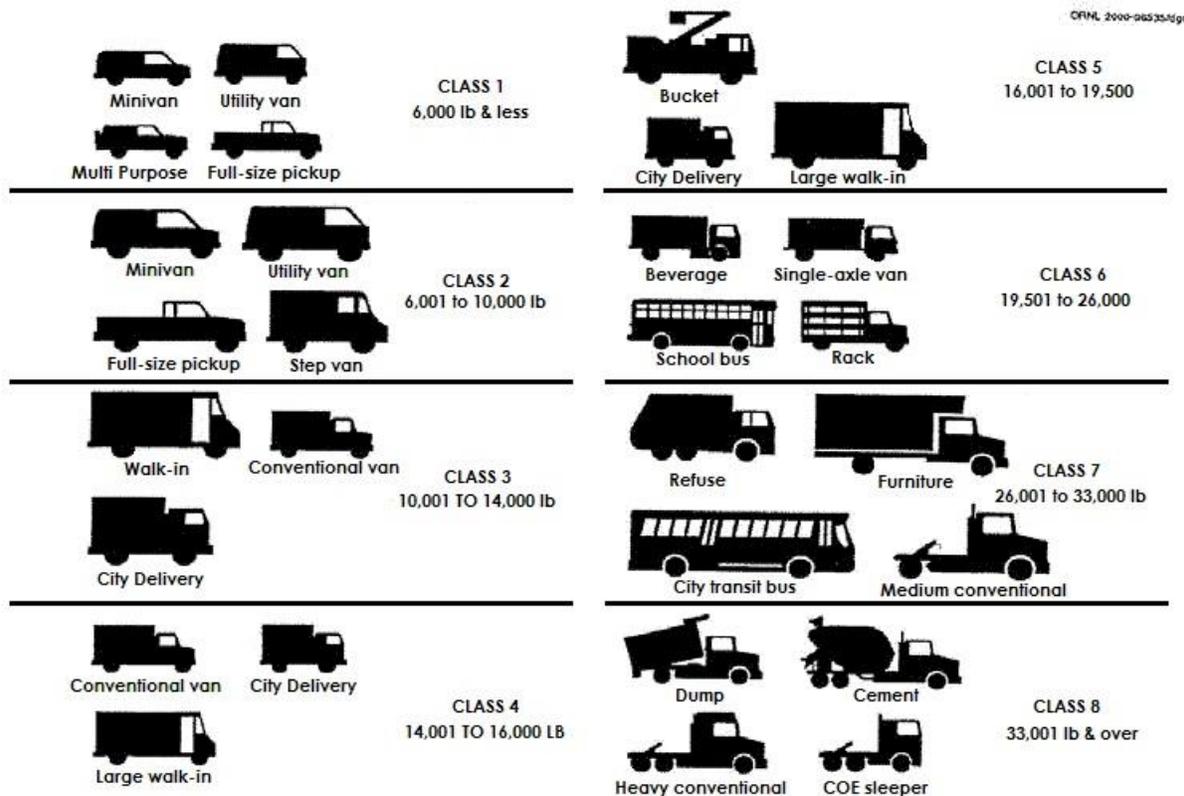


Fig. 1. Truck types by gross vehicle weight (GVW). Source: Commercial Carrier Journal (<http://www.ccjmagazine.com>).

4.2 CMAQ Program Eligibility

Prior to final project selection by the DERG committee, the FHWA must issue a formal CMAQ program eligibility determination on each proposed project. FHWA's eligibility determinations are based on documentation project sponsors prepare describing the project scope, its consistency with FHWA's CMAQ program eligibility guidance, and a quantitative analysis of the mobile source emission reductions that will result from project implementation.

CMAQ program eligibility documentation includes the following items:

- Narrative description of the project scope;
- Narrative description of project's consistency with FHWA CMAQ eligibility guidance;
- Project location;
- Project cost;
- Project sponsor; and
- Quantitative analysis of mobile source emission reductions in tons/year resulting from project implementation using USEPA's Diesel Emission

Quantifier (DEQ) tool at <https://www.epa.gov/cleandiesel/diesel-emissions-quantifier-deq>. Ohio EPA intends to use the DEQ to estimate emission reductions for proposed projects, so applicants should submit both the input and the results of their DEQ analysis with their application. If the DEQ *does not allow* for an appropriate emission reduction calculation for a specific technology such as locomotive and maritime projects, the applicant may utilize US EPA approved emission factors and provide a detailed explanation of the emission reduction calculations. In cases where the DEQ *does* provide an analysis for a particular technology, but the applicant feels that more recent USEPA certified emission factors will produce a more realistic estimate of emission reductions, the applicant may suggest emission reduction calculations using the updated USEPA certified emission factors. Please contact Alan.Harness@epa.ohio.gov or 614-644-4838 in order to determine whether a manual calculation is appropriate for a particular project. The applicant should submit inputs and results of both the DEQ analysis and their alternate emission reduction calculation, including the specific equations and US EPA emission factors used in the calculation along with a copy of the reference material. Ohio EPA will review the calculations and, if deemed acceptable, will apply the most appropriate emission factors to all comparable projects under consideration for funding in the same grant cycle in order to make funding recommendations.

Note: When running the DEQ, choose “No” to the following question: “Do you want to estimate the total cost effectiveness of the project?” Cost-effectiveness for purposes of DERG awards will instead be calculated using the procedure described below.

For calculating emissions on maritime and port projects, applicants should also consult <http://www.epa.gov/cleandiesel/documents/ports-emission-inv-april09.pdf>

Cost-Effectiveness: For the purpose of this program, cost-effectiveness shall be calculated by the cost of the federal share (grant award amount) of the project and dividing by the sum total of the annual NO_x and PM_{2.5} emission reductions (tons/year), as determined by the DEQ analysis or manual emission reduction calculations using US EPA approved emission factors. Cost-Effectiveness = Federal Share of Project Cost/Sum Total of NO_x & PM_{2.5} Emission Reductions.

Note: For those projects involving just an engine replacement (replace old engine with a new engine) the total project cost shall consist of the engine and associated engine components (e.g., engine, transmission, and radiator, and any other engine components that are a vital part of the engine’s operation).

For those projects involving a complete vehicle replacement the total project cost shall be based on the complete cost of the entire vehicle (i.e., engine and chassis). However, as indicated on the DERG eligibility chart, a number of fleets are only eligible for partial replacement costs, i.e., up to 80% of the costs associated with the components of the replacement vehicle that reduce

emissions. This typically includes the engine and engine management software.

Equipment must be operated in CMAQ-eligible areas of Ohio for at least sixty-five percent (65%) of the time. Grant *applicants* should show in the project narrative that the vehicles proposed for replacement, repower or retrofit have been registered (if applicable) and operating within Ohio for the most recent year. Grant *awardees that are Public-Private Partnerships* will be required to provide annual written reports for five years, documenting that the replacement, repowered or retrofitted vehicles or equipment were operated at least 65% of the time in the CMAQ-eligible areas in Ohio. Written records must be maintained with the owner/operator of the approved project for a minimum 5 years.

A map of CMAQ-eligible Ohio counties and townships is included in Appendix D of this RFP.

Ohio CMAQ-eligible counties (or parts of counties). A project must be located in at least one of these counties or geographic locations (in the case of partial counties) in order to be considered for CMAQ funding			
Adams (p)	Cuyahoga	Lake	Portage
Allen	Delaware	Lawrence	Scioto
Ashtabula	Fairfield	Licking	Stark
Belmont	Franklin	Lorain	Summit
Butler	Gallia (p)	Lucas	Trumbull
Clark	Geauga	Madison	Warren
Clermont	Greene	Mahoning	Washington
Clinton	Hamilton	Medina	Wood
Columbiana	Jefferson	Miami	
Coshocton (p)	Knox	Montgomery	
(p) = partial PM2.5 nonattainment county			

4.3 Ineligible Costs

Ineligible costs include but may not be limited to:

- Operating expenses and fuel costs, including incremental costs of fuel.
- Any project required by any law or other legally binding agreement.
- Work done or purchases made prior to official notice of FHWA project authorization.
- Costs incurred for work or purchases not included in the approved project scope.
- Installation costs incurred from in-kind services or by an unauthorized vendor.
- Administrative costs.

4.4 Public Private Partnerships

Private sector applicants must apply through a public sponsor (Ohio local government or state agency) who can attest to the public benefit of awarding public dollars to a private sector entity. For PPPs, partnerships must have a legal, written agreement executed between the public agency and the private or non-profit entity before a CMAQ-funded project application can be approved for funding. These agreements should be developed under relevant State contract law and should specify the intended use for CMAQ funding; the roles and responsibilities of the participating entities; and how the disposition of land, facilities, and equipment will be carried out should the original terms of the agreement be altered (e.g., due to insolvency, change in ownership, or other changes in the structure of the PPP). If an applicant is a PPP, a copy of the required written agreement clearly identifying the partners must be included at the time the application is submitted, or the application will not be evaluated. A copy of the final *signed and executed* agreement must be provided no later than 14 days after the application deadline, or the application will not receive further consideration. A sample template for a public-private partnership agreement is provided in Appendix E.

SECTION 5: PROJECT TYPES

Type	Description	Limitations	Maximum Funding
Vehicle/Equipment Replacement	Replacing old vehicles/equipment with new vehicles/equipment, including replacing with alternatively fueled vehicles as identified in section 301 of the 1992 Energy Policy Act	New vehicles or equipment must meet newer emission standards than old vehicles or equipment. Verification that old vehicles or equipment have not been returned to service	80% of total project cost or engine component costs subject to provisions of CMAQ and this RFP; less core or scrap value and less other governmental financial purchase contributions
Repower (Engine Replacement)	Removing the engine from a piece of equipment and replacing it with a new, rebuilt, or remanufactured engine	Engines must meet a newer emission standard; verification that old engine is remanufactured or permanently destroyed	80% of equipment invoiced cost less core value or scrap value and 80% of installation by an outside vendor
Retrofit	Adding on emission reduction technologies to reduce pollution	Retrofit technology must be verified by US EPA or CARB	80% of equipment invoiced cost less core value or scrap value and 80% of installation by an outside vendor
Anti-Idle	Adding anti-idle technologies to vehicles/equipment to reduce pollution; and truck stop electrification	Idle Reduction technology must be verified by US EPA or CARB	80% of equipment invoiced cost less core value or scrap value and 80% of installation by an outside vendor

5.1 Vehicle/Equipment Replacement

Vehicle or equipment replacement⁴ involves permanently removing an old vehicle or machinery from service, and replacing it with a new vehicle or machinery,

⁴ Including but not limited to: trucks, locomotives and non-road construction equipment. Non-road vehicles or construction equipment must be working on a surface transportation construction project (Title 23) based in Ohio nonattainment or maintenance areas to be eligible. Only those costs associated with the vehicle/equipment components that produce emissions will be considered for funding.

including alternatively fueled vehicles as identified in section 301 of the 1992 Energy Policy Act. Because construction equipment tends to have a very long life span, and in the past decade the federal government has implemented increasingly stringent emission standards for both on-road and off-road diesel equipment, upgrading to new model year diesel equipment has a significant air quality benefit.

On-road transportation vehicles, non-road vehicles and construction vehicles/machinery will qualify under this project if the vehicle or equipment is and will continue to operate at least 65% of the time in Ohio CMAQ-eligible counties.

Non-road vehicles or construction equipment must be working on surface transportation construction projects (Title 23) within Ohio CMAQ-eligible counties to be eligible. Only those costs associated with engine components that produce emissions will be considered.

In order to be eligible for funding for vehicle or equipment replacement, the award recipient must verify that the machinery to be replaced is currently in proper working condition **with at least five (5) years of remaining useful life**. For public transit agency replacement projects, vehicles will follow the Federal Transit Administration (FTA) replacement guidelines. Additionally, the replacement vehicle/equipment must be used for the same or similar purpose as the retired equipment.

Grant agreements involving replacement of a full vehicle or equipment will include a provision for disposal of the engine block through an OEM or authorized remanufacturer and a process to verify the retirement of this vehicle/equipment. The grant awardee will be required to provide documentation verifying that the old vehicle/equipment has not been returned to service. Grant awardees may use the "DERG Original Equipment Certificate of Destruction" form posted on the DERG program Website, <http://www.epa.ohio.gov/oef/derg.aspx>. Ohio EPA may consider requests for waivers from this engine disposal requirement for appropriate purposes, such as the donation of the replaced vehicle to a diesel engine maintenance education program at an Ohio career technical center. Waiver requests must demonstrate that the proposed DERG project will not result in a net increase of emissions in Ohio or surrounding airsheds. Ohio EPA will not grant blanket waivers to send replaced vehicles to other states and countries.

Eligible expenses for reimbursement for vehicle replacements under this program include:

- The invoice cost of a replacement vehicle (subject to FHWA eligibility approval) including delivery charges, less scrap value of decommissioned vehicle/equipment;
- Costs to remove and dispose of fluids in the decommissioned vehicle/equipment, less any payments received for reuse of such fluids; and
- Other costs directly related to the project, subject to prior approval.

Note: FHWA will not approve CMAQ funding to finance the entire cost of private fleet or public agency general services replacement vehicles. FHWA will approve CMAQ funding only for replacement vehicle components that contribute to the vehicles' emission characteristics. See FHWA's CMAQ guidance issued April 6, 2011, posted at:

(http://www.fhwa.dot.gov/environment/air_quality/cmaq/policy_and_guidance/cm_aqaltfuel.cfm); and additional CMAQ Interim Program Guidance under MAP-21 issued November 12, 2013, posted at http://www.fhwa.dot.gov/environment/air_quality/cmaq/policy_and_guidance/2013_guidance/index.cfm

Applicants should pay careful attention to the different types of vehicles eligible for replacement in the DERG eligibility chart included in Appendix C of this RFP. In the DERG program, “**full replacement**” means that DERG funds can be used to reimburse up to 80% of the full vehicle replacement costs. “**Partial replacement**” means that DERG funds can only be used to reimburse up to 80% of the costs associated with the components of the replacement vehicle that reduce emissions. This typically includes the engine and engine management software.

Under the DERG program, grant recipients for replacement projects will be reimbursed up to 80% of the total project cost subject to CMAQ restrictions and the DERG RFP, less the core value or scrap value and other governmental financial purchase contributions. FHWA will make the final determination of what the allowable federal share of each project will be.

What should be included in the project scope description when applying for replacement vehicles?

Vehicle or equipment replacements are designed to obtain emission reductions by removing high-emitting vehicles or equipment from service, and replacing them with newer, cleaner vehicles or equipment. For replacement vehicle projects, the project scope description narrative section of the DERG application should discuss the following specific points:

- Describe the size, location, and type of project (full or partial replacement) and how it is consistent with FHWA CMAQ eligibility guidance.
- Describe the vehicle/machinery to be replaced and how, when, and where it is used. Include engine data and VIN numbers for all to-be-replaced vehicles in the fleet data spreadsheet in Appendix B.
- Describe the vehicle/machinery to be acquired and how, when, and where it will be used.
- Early replacement: show that the vehicle is not being replaced as part of normal fleet turnover. Explain when the vehicle would normally have been scheduled for replacement.

- Explain in detail how the applicant will demonstrate that the project meets the percent (%) and duration (years) of equipment operation in the Ohio CMAQ-eligible counties.
- Show that the original vehicle or equipment is working properly and performing its intended function in normal duty service;
- Explain how the applicant will ensure that the original vehicle or equipment is scrapped or remanufactured;
- Show that the replacement vehicle is serving the same function and has the same gross vehicle weight and similar horsepower as the original, and explain how it will be maintained in accordance with manufacturer specifications;
- If a commitment is being made by the applicant to use biodiesel or other alternative fuels in the diesel engine fleets, document the percent of use.
- Describe the applicable emission standard or tier level for the old and new engines, using the **certificates of conformity** issued from US EPA to the engine manufacturer. The certificate of conformity lists the engine family name and the engine model year. The EPA engine family name is displayed on the emission control information label on the engine. By checking the engine family names and engine model year emission standards, one can confirm the applicable emission standard or tier level.
- The emissions reduction methodology must be defined, and the inputs, calculations and results provided. Include quantitative analysis of mobile source emission reductions estimated to result from project implementation.
- Show the complete costs, emission reduction (both PM_{2.5} and NO_x), and estimated **cost-effectiveness (\$/ton of both PM_{2.5} and NO_x removed)**, and all detailed calculations that support your application for these grant funds.
- Attach any supplemental engineering data sheets, and any detailed support information to aid your application.

What kind of recordkeeping will be required for replacement vehicle projects?

Grant recipients for vehicle replacement projects funded under the DERG program will be expected to keep on file the following kinds of documentation, and to produce this documentation upon request:

- Approved Fleet Data Reporting Spreadsheet for the old diesel vehicles and fleet data for the new vehicles.
- Document that each vehicle is performing its intended function and that the original vehicle(s) are fully operational and not already due for replacement.
- Document fleet turn-over practices through historic records. Document age of vehicles to be replaced and period for early retirement.

- Invoices of all completed work. Invoices for replacement vehicles should include the vehicle components and specific engine configuration installed, including the model year or tier level, and a list of all parts, including engine exhaust controls.
- Copies of EPA certificates of conformity for existing and new engine configurations.
- Evidence that the engine of the old vehicle or equipment was rendered permanently disabled or returned to the original engine manufacturer to be remanufactured to the next EPA standard. Documentation should include the engine serial number and vehicle identification number, and photos illustrating how the engine and chassis were disabled. Ohio EPA representatives may request to observe the destruction process to ensure that it is properly documented. If returned to the engine manufacturer, obtain a letter documenting that the engine is remanufactured to a more stringent EPA standard.
- Documentation of any program income earned, including the sale of original vehicle or equipment parts and record of program income generated by sale thereof.
- Confirm the level of emission reduction achieved by the vehicle replacement matches or exceeds the level described in the grant application's project narrative. Emission reduction is based on the period associated with early retirement, so include a final comparison with normal fleet turn over and the in-service date for the replacement vehicle or machine.

Grant recipients for Public Private Partnership Projects will also be required to report annually to Ohio EPA for a period of five years, confirming that the replacement vehicle is operating at least 65% of the time in Ohio CMAQ-eligible counties.

5.2 Equipment Repower (Engine Replacement)

An equipment repower involves removing the engine from a piece of equipment and replacing it with a new, rebuilt, or remanufactured engine (including compressed natural gas or propane repowers). Because new engines meet more stringent emission standards than older engines, a repower can provide a significant air quality benefit without the cost of replacing an entire piece of machinery.

Any change to the original configuration of a certified vehicle or engine, including alternative fuel conversion, is a potential violation of the Clean Air Act section 203(a)(3) prohibition against tampering (42 U.S.C. §7522 (a)(3)). The tampering prohibition is important because poorly designed modifications can increase emissions. However, US EPA has established protocols through which conversion manufacturers may seek exemption from the tampering prohibition by

demonstrating that emission controls in the converted vehicle or engine will continue to function properly and that pollution will not increase as a result of conversion. Please see the [Final Rule](#) and [Information for Clean Alternative Fuel Conversion Manufacturers](#) for detailed information about these protocols. Prospective DERG applicants should consult with Alan.Harness@epa.ohio.gov about whether their proposed repower project is US EPA compliant before submitting an application.

Engine repowers may use new engine configurations certified to emission standards, or remanufactured engines representative of a previously certified engine configuration. Generally, an engine upgrade involves the removal of parts on a certified engine configuration and replacement with parts that cause the engine to represent an engine configuration which is certified to meet more stringent federal emission standards.

DERG grants can reimburse a portion of the cost to purchase and install a lower emissions engine and associated equipment, minus the scrappage value of the old engine. To be eligible for DERG funding, new engines must be certified by US EPA or CARB as agreed to by US EPA. Information on certified engines may be found at:

<http://www.arb.ca.gov/msprog/onroad/cert/cert.php> and

<https://www3.epa.gov/otaq/certdata.htm>

Eligible rebuilt or remanufactured engine components must meet or exceed Original Equipment Manufacturer (OEM) specifications.

Project agreements involving a replacement of a higher emissions engine should include a provision for disposal of the engine block and a process to verify the retirement of the older engine, unless Ohio EPA grants a written waiver from this requirement. Applicants requesting a waiver must explain in detail how the alternate disposition will be documented, and how the applicant will ensure that the proposed alternate disposition will not result in a net increase in emissions.

On-road transportation vehicles, non-road vehicles and construction equipment working on surface transportation construction (Title 23) projects within an Ohio nonattainment or maintenance area will qualify for funding if operated at least 65% of the time in Ohio CMAQ-eligible counties.

In order to be eligible for funding for equipment repower, the award recipient must demonstrate that the equipment to be repowered is currently in proper working condition. Before receiving reimbursement, the award recipient must document that the engine was removed and shipped to an authorized remanufacturing center, or that the engine in the old equipment has been permanently destroyed so that it cannot be sold or reused.

Eligible expenses for reimbursement for repower under this program include:

- Invoice cost of new engine including delivery charges, less the replaced engine's core or scrap value;
- Invoice cost of additional equipment that must be installed with the new engine;
- Costs to remove and dispose of hazardous fluids less any payments received for reuse of such fluids;
- Installation costs **if installed by an authorized outside vendor**;
- Reengineering costs by an authorized outside vendor, **if** the vehicle or equipment must be modified for the new engine to fit; and
- Other costs directly related to the project, subject to prior approval. See section 5.5 pertaining to infrastructure components.

The cost of purchasing and installing the new engine and required equipment minus the core value will constitute the cost of the equipment repower.

Under the DERG program, grant recipients will be reimbursed up to 80% of the equipment invoiced cost, less the core value or scrap value, and up to 80% of the installation invoiced cost performed by an authorized outside vendor. **A vendor authorized by the Original Equipment Manufacturer (OEM) should be used for engine repowers. Work performed by a vendor or other party not authorized by the OEM is not eligible for reimbursement under CMAQ or the DERG program.**

Applications for conversion from a diesel fuel to a dual fuel system will no longer be considered for DERG funding.

What should be included in the project scope description when applying for engine repowers and upgrades?

For engine repower or upgrade projects, the project scope description section of the DERG application should describe the size, location, and type of project and how it is consistent with FHWA CMAQ eligibility guidance. Discuss the following specific points:

- Existing and replacement engine certified configuration. Describe the equipment to be repowered and how and when it is currently and will be used. Include engine data and VIN numbers for all to-be-replaced engines in the fleet data spreadsheet in Appendix B.
- Pre- and post-emission standard levels for PM_{2.5} and NO_x. Newer engines or higher tier engines are not necessarily cleaner engines, so it is important to check the actual emission standard level of the current (existing) and new engines to ensure the repower product is reducing emissions for PM_{2.5} and NO_x. Emission standard levels are based on the engine model year for on-highway engines, and for nonroad engines the

horsepower and model year of the engine will determine the tier level. Check the emissions tables for on-road and nonroad engines and vehicles, posted at <https://www.epa.gov/emission-standards-reference-guide> to ensure that the proposed repower will result in an emissions reduction.

- **Certificates of Conformity.** Applicants should consult the certificates of conformity issued from US EPA to the engine manufacturer for the existing engine prior to submitting the grant application. If the existing engine is so old as to pre-date emission regulations, it will not have a certificate of conformity and alternative documentation of the engine age is acceptable. When conducting a repower, the entire configuration needs to be replaced, which must include a complete engine and emission control system to the design specifications of the certified engine configuration. Award recipients will be required to provide copies of the certificates of conformity issued from US EPA to the manufacturer of the new engine.
- Explain how the applicant will ensure the old engine is scrapped or appropriately remanufactured.
- Explain how the applicant will ensure that invoices will include all parts of the certified engine configuration.
- Early repower: show that the engine is not being repowered as part of normal fleet turnover.
- Show that the original engine is working properly and performing its intended function in normal duty service.
- If a commitment is being made by the applicant to use biodiesel or other alternative fuels in the diesel engine fleets, document the percent of use.
- To be considered cost effective, show that the engine has a high annual use (>1000 hours or 50,000 miles for most vehicles, or 5,000 miles for school buses.)
- **Note for locomotive and marine repowers:** locomotive and maritime projects need to emphasize the transportation function of the project. Depending on the availability of certified engine rebuild kits, regulations may require that marine engines at or above 600 kW and locomotive engines be upgraded to a lower emission level at the time of rebuild. Consequently, a repower project in a marine or locomotive application may overlap with an operator's requirement to install a certified engine upgrade kit at the time of rebuild. In this case, the project would be considered a mandated measure, and would not be fundable under the DERG program. Before applying for the grant, the applicant should

confirm that a marine or locomotive engine replacement project is not simply going to achieve the same benefit already required with a certified engine upgrade kit. Identify when the original locomotive or marine engine was rebuilt last, when it is due for rebuild next, and if a certified rebuild kit is available.

- **Note for alternative fuel repowers including plug-in and electric vehicles:** Conventional original equipment manufacturer (OEM) vehicles altered to operate on propane, natural gas, methane gas, ethanol, or electricity are classified as aftermarket alternative fuel vehicle (AFV) conversions. In the United States, all vehicle conversions (except pure battery electric vehicles) must meet applicable US EPA or California Air Resources Board (CARB) standards. US EPA issues Certificates of Conformity that cover a "test group"—specific vehicle or engine models for certain model years that are modified to operate on an alternative fuel. An aftermarket conversion may only be performed on a vehicle if a Certificate of Conformity or CARB certification has been issued for that vehicle's test group. The EPA refers to a vehicle converter as a "small volume manufacturer." The vehicle converter holds the Certificate of Conformity. An individual or entity wishing to convert a vehicle to operate on an alternative fuel must go through a company or organization associated with a certificate holder, and the work must be performed by a licensed technician associated with that company. It is the responsibility of the certificate holder to ensure the equipment is properly installed. To be eligible for DERG funding, only certified alternative fueled engines are acceptable, the EPA engine family must be documented, and all applicable regulatory procedures must be followed in the conversion.

What kind of recordkeeping will be required for engine repower and upgrade projects?

DERG grant awardees with engine repower projects will be expected to keep on file the following kinds of documentation, to produce this documentation upon request, and to report annually to Ohio EPA confirming that the repowered engine is operating at least 65% of the time in Ohio CMAQ-eligible counties:

- Approved Fleet Data Reporting Spreadsheet for the old diesel engines and data for the new engines.
- Documentation that each vehicle is performing its intended function and that the original engine(s) are fully operational and not already due for replacement or rebuild. This should include documentation of daily miles driven or hours of operation.
- When requesting bids for replacement engines, require documentation that a certified engine configuration will be installed, including all components such as after treatment devices and emission control technologies.

- Invoices of all completed work, showing the specific engine configuration installed, including the model year or tier level.
- A list of all parts included in the repower, especially any exhaust controls.
- Copies of US EPA **certificates of conformity** for existing engine configurations at the time of application, and for new engine configurations when reimbursement is requested.
- Evidence that the old engine was rendered permanently disabled or returned to the original engine manufacturer to be remanufactured to the next EPA standard. Documentation should include the engine serial number and vehicle identification number, and photos illustrating how the engine was disabled. If returned to the engine manufacturer, obtain a letter documenting that the engine is remanufactured to a more stringent EPA standard.
- For locomotive or marine engine projects, documentation regarding the original engine, rebuild history, and availability of rebuild kits. Print current lists of certified rebuild kits to document that no kits are currently available. If a kit is available, document how the project is acceptable according to RFP requirements.

5.3 Equipment Retrofit

Exhaust emission controls (often called after-treatment technologies) include pollution control devices installed in the exhaust system. After-treatment technologies are some of the most common retrofit technologies because many can be added to the exhaust system of a vehicle or nonroad machine with little or no impact on engine operation. Common types of exhaust controls include:

- Diesel oxidation catalyst (DOC)
- Diesel particulate filter (DPF)
- Partial flow filter (PFF)
- Selective catalytic reduction (SCR) system

Crankcase emission controls are technologies that filter gasses, particles and oil from the original crankcase vent tube so they are not released into the atmosphere. Crankcase emission controls are often called closed crankcase ventilation (CCV) system when the filtered gases are routed back into the engine intake.

An equipment retrofit involves installation of an emission-reduction technology in an existing piece of equipment. To be eligible for funding, retrofit technologies must be verified by US EPA or the California Air Resources Board. Information on verified technologies may be found at:

<http://epa.gov/cleandiesel/verification/verif-list.htm>
<http://www.arb.ca.gov/diesel/cv.htm> .

and

US EPA provides helpful information about clean diesel technologies and options to reduce emissions at <https://www.epa.gov/cleandiesel/learn-about-clean-diesel>.

- Invoice cost of retrofit kit or add-on device including delivery charges;
- Invoice cost of additional equipment that must be installed;
- Installation costs if installed by an authorized outside vendor;
- Reengineering costs by an authorized outside vendor, if the vehicle or equipment must be modified for the retrofit, less any scrap or resale value; and
- Other costs directly related to the project, subject to prior approval.

Under the DERG program, grant recipients will be reimbursed up to 80% of the retrofit equipment invoiced purchase cost including delivery charges, and up to 80% of invoiced installation cost if performed by an authorized outside vendor. This may include re-engineering costs by an authorized outside vendor, if the vehicle or equipment must be modified for retrofit, less any scrap or resale value. Applicants with retrofit projects that may include re-engineering costs are encouraged to discuss the specifics with Ohio EPA before applying. A vendor authorized by the Original Equipment Manufacturer (OEM) should be used for retrofit projects. Work performed by a vendor or other party not authorized by the OEM is not eligible for reimbursement under CMAQ or the DERG program.

What should be included in the project scope description when applying for equipment retrofits?

Note that some after-treatment technologies require that exhaust reaches certain temperatures to operate properly, and many have specific maintenance requirements. The project description narrative section of the DERG application should discuss how the applicant will ensure that the original vehicle is in proper condition prior to the installation, how the applicant will work with the installer to ensure that the equipment selected is appropriate and verified for the receiving vehicle, and that the equipment is installed properly. The narrative should also demonstrate how the applicant intends to meet the equipment manufacturer's maintenance requirements and schedule.

- Describe the size, location, and type of project and how it is consistent with FHWA CMAQ eligibility guidance. Include quantitative analysis of mobile source emission reductions resulting from project implementation, using US EPA's Diesel Emission Quantifier (DEQ) tool at <https://www.epa.gov/cleandiesel/diesel-emissions-quantifier-deq>. Show the complete costs, emission reductions (both PM_{2.5} and NO_x), emission reduction/\$ ratios, and all detailed calculations.
- List the percent (%) and duration (years) of equipment operation in the Ohio CMAQ-eligible counties.
 - If a commitment is being made by the applicant to use biodiesel or other alternative fuels in the diesel engine fleets, document the percent of use.
 - Describe how the applicant will ensure that contract bid requests are written correctly so that an appropriate technology is purchased and installed. The

narrative should also demonstrate how the applicant intends to meet the equipment manufacturer's maintenance requirements and schedule.

What kind of recordkeeping will be required for equipment retrofit projects?

DERG grant recipients with engine retrofit projects will be expected to keep on file the following kinds of documentation, to produce this documentation upon request and to report annually to Ohio EPA confirming that the retrofitted engine is operating at least 65% of the time in Ohio CMAQ-eligible counties:

- Approved Project Fleet Description Spreadsheet. At the time of technology installation, grantee should also record the date and mileage of the vehicle.
- Copies of either the EPA Verification Letter or the CARB Executive Order for the specific technologies used in the project.
- Documents from vendors regarding inspection of vehicles and acceptability of the engine and vehicle condition.
- Request for Proposals/Bids for equipment specifying equipment name, model, make, year, for which engine family and model years.
- For DPF projects, retain data logging results and analysis showing that each vehicle complies with exhaust temperatures required for the technology.
- Invoices of all completed work.

5.4 Anti-Idle Equipment

Anti-idle equipment consists of installation of idling reduction technologies in order to reduce pollution. Idle reduction technologies reduce unnecessary idling of the main drive engine of diesel vehicles or equipment and/or are designed to provide services (such as heat, air conditioning, and/or electricity) to vehicles and equipment that would otherwise require the operation of the main drive engine while the vehicle is temporarily parked or remains stationary.

Only anti idle technologies that have been verified by US EPA will be eligible for reimbursement with DERG funds. US EPA's Verified Idle Reduction Technology List is posted at

<http://www3.epa.gov/smartway/forpartners/technology.htm#tabs-4>

To date, US EPA has verified devices in the following categories of idle reduction technologies:

Electrified Parking Spaces (EPS) / Truck Stop Electrification (TSE)
Shore Connection Systems and Alternative Maritime Power (SCS/AMP)
Shore Connection Systems for Locomotives (SCS)
Auxiliary Power Units and Generator Sets (APU/GS)
Fuel Operated Heaters (FOH) aka Direct Fired Heaters (DFH)
Battery Air Conditioning Systems (BAC)
Thermal Storage Systems (TSS)
Automatic Shut-down/ Start-up Systems

Eligible expenses for reimbursement for anti-idle equipment under the DERG program include:

- Invoice cost of anti-idle kit or add-on device including delivery charges;
- Installation costs if installed by an authorized outside vendor;
- Reengineering costs by an authorized outside vendor, if the vehicle or equipment must be modified for the anti-idle technology; and
- Other costs directly related to the project, subject to prior approval.

Applicants with anti-idle projects that may include re-engineering costs are encouraged to discuss the specifics with Ohio EPA before applying.

What should be included in the project scope description when applying for idle reduction technology?

Project requests should identify the preferred technology and show that it is on US EPA's SmartWay Verified Idle Reduction Technology List for the specific vehicles in your project. For example, APUs are verified for only certain types of on-highway vehicles.

- Describe the size, location, and type of project and how it is consistent with FHWA CMAQ program eligibility guidance. Include quantitative analysis of mobile source emission reductions resulting from the project.
- List the percent (%) and duration (years) of equipment operation in the Ohio CMAQ-eligible counties.
- Show the complete costs, emission reductions, cost effectiveness in \$/ton of PM_{2.5} and NO_x removed, and all detailed calculations.
- If a commitment is being made by the applicant to use biodiesel or other alternative fuels in the diesel engine fleets, document the commitment.
- Describe how the applicant will ensure that contract bid requests are written correctly so that an appropriate technology is purchased and installed. The narrative should also demonstrate how the applicant intends to meet the equipment manufacturer's maintenance requirements and schedule.
- Truck stop electrification and other projects involving the installation of equipment at stationary locations should include documentation of ownership or control of the property or a signed memorandum of agreement with the property owner governing the installation, maintenance and ownership of the equipment; as well as discussion and photo documentation of site accessibility, use and security. If applicable, the documentation of legal contract compliance must be supplied with this application.

What kind of recordkeeping will be required for idle reduction projects?

- Approved Project Fleet Description Spreadsheet. At the time of technology installation, grantee should also record the date and mileage of the vehicle.

- Request for Proposals/Bids for equipment and invoices that specify the equipment name, model, make, year, for which engine family and model years.
- Invoices of all completed work. Invoices should include the technology type, make and model.

5.5 Related Infrastructure for Fueling

Ohio EPA is primarily interested in supporting projects that result in direct reductions in emissions, and will consider funding infrastructure components allowable under CMAQ such as fueling stations **only** in conjunction with other project components that provide immediate emission reductions, such as vehicle or engine replacements and/or repowers, and **only** if the fueling infrastructure is to be made available to the public at least 20 hours per week. Proposals requesting funding for infrastructure components must demonstrate ownership or legal control of the property; demonstrate that the requested infrastructure is not already in place and reasonably accessible locally; and include in the narrative a description of all required local, state and federal permits and a realistic schedule for securing these permits. Infrastructure components that Ohio EPA deems to have a time horizon longer than eighteen months will not be considered.

SECTION 6: PROJECT SELECTION CRITERIA

Due to the competitiveness of the program, not all eligible projects will be approved for funding.

DERG program project applications will be evaluated consistent with the FHWA CMAQ guidance eligibility criteria and ranked consistent with the scoring parameters below. Project selection for the DERG Program will be accomplished by a committee comprised of staff from Ohio EPA and ODOT, with final project selections approved by the Ohio EPA Director. Decisions of the Director are final. Selected projects must also receive an eligibility determination from the Federal Highway Administration.

The primary evaluation of eligible applications will be based on the following parameters:

- (a) Projected emission reductions of particulate matter (PM_{2.5}) and oxides of nitrogen (NO_x), reported in tons per year.
- (b) Cost effectiveness of the emission reductions: The federal share of the total project cost described in the application will be divided by the estimated total emission reduction of PM_{2.5} and NO_x to determine the cost effectiveness of the project, in dollars per ton of reduced emissions.

Applicants are encouraged to provide a stronger local match than the minimum 20% required, in order for the project to score better in terms of cost effectiveness.

Secondary criteria considered by Ohio EPA and ODOT in making grant awards will include promoting project and fleet diversity, and geographic funding diversity. The committee may also consider an applicant's past performance on DERG- or DERA-funded projects, and the amount of DERG funding an applicant has already received. Proposals from previous DERG recipients who did not make satisfactory progress implementing their projects, as defined in Section 2.7 of this RFP, will not receive consideration. Proposals from applicants who have already received three DERG grants may receive lower priority consideration for funding.

SECTION 7: GENERAL REQUIREMENTS

7.1 Cost of Proposal

The cost of preparing and submitting proposals in response to this RFP are solely the responsibility of the applicant. The program shall not reimburse or contribute, in any way, to the cost of the preparation and delivery of the proposal.

7.2 Confidentiality

All information submitted in response to this RFP shall be public information unless a statutory exception exists which would thereby determine that the information cannot be released to the public. Any information submitted with the proposal, which the applicant feels is a trade secret must be conspicuously designated as such and shall be treated accordingly if the information is determined to be a trade secret under the laws of the State of Ohio. It is the applicant's sole duty to identify and mark such passages it deems to be trade secrets. All submitted proposals will become the property of the Ohio EPA and any information submitted in response to this RFP will not be returned to the applicant. Information on the price paid for vehicles or equipment purchased to be reimbursed with public funds from the DERG program is not eligible for trade secret protection.

SECTION 8: APPENDICES

The appendices that follow include supplemental information and forms that must be uploaded as attachments to the online DERG 2016 Application Form, at https://odot.formstack.com/forms/2016_derq.