



2021 State Clean Diesel (Diesel Emission Reductions Act)

Announcement of Request for Proposals (RFP)

October 4, 2021

All proposals due by close of business on November 5, 2021

Submit proposals to: Rhode Island Department of Environmental Management
Office of Air Resources, 3rd Floor, Room 330
c/o Madeline Haines
235 Promenade Street
Providence, RI 02908
Madeline.haines@dem.ri.gov

The Rhode Island Department of Environmental Management (the Department) is pleased to announce the availability of grants for projects that achieve significant reductions in diesel emissions in terms of tons of pollutants produced and exposure, particularly from fleets operating in areas designated by the Environmental Protection Agency (EPA) as poor air quality areas.

1. Purpose of Available Grants

The Clean Diesel Program provides support for projects that protect human health and improve air quality by reducing harmful emissions from diesel engines. This program includes grants funded under the Diesel Emissions Reduction Act (DERA).

2. Applicant Eligibility

Applicants eligible to apply for the above listed grants include, but are not limited to independent owner operators (IOOs), fleet operators, local businesses, municipalities, and others that meet the program requirements.

Equipment eligible for grant funding shall meet the following requirements:

- On Road Diesel Vehicle
 - Buses, medium-duty trucks, and heavy-duty trucks (16,001 GVWR and over)
 - Be registered with the Rhode Island Division of Motor Vehicles;
 - Be kept or garaged in Rhode Island as indicated on the vehicle registration issued by the Division of Motor Vehicles; and

- The applicant shall certify to the Department on the application that fifty percent (50%) or more of the vehicle miles traveled, or hours of operation, shall be projected to be in Rhode Island for at least five (5) years following the reimbursement grant award.
 - The applicant must commit to reporting usage information for at least five (5) years following the reimbursement grant award.
- Drayage Vehicle
 - Drayage Truck means any Class 8 (GVWR greater than 33,000) highway vehicle operating on or transgressing through port or intermodal rail yard property for the purpose of loading, unloading or transporting cargo, such as containerized, bulk or break-bulk goods.
 - Qualified truck must have completed 150 trips over the last twenty-four months to a Port;
 - Qualified truck must drive at least 7,000 miles during the twelve months during and twenty-four months prior to the upgrade;
 - Be registered with the Rhode Island Division of Motor Vehicles;
 - Be kept or garaged in Rhode Island as indicated on the vehicle registration issued by the Division of Motor Vehicles;
 - The applicant shall certify to the Department on the application that fifty percent (50%) or more of the vehicle miles traveled, or hours of operation, shall be projected to be in Rhode Island for at least five (5) years following the reimbursement grant award.
 - The applicant must commit to reporting usage information for at least five (5) years following the reimbursement grant award.
- Marine
 - Be registered with the U.S. Department of Homeland Security – United States Coast Guard (Documentation is required);
 - Must operate more than 1000 hours per year;
 - Be used to provide goods and/or services to Rhode Island residents;
 - If the vessel is identified as a commercial fishing vessel at least fifty percent (50%) or more of the fish landed in the last year were in Rhode Island ports; and
 - The applicant must commit to reporting usage information for at least five (5) years following the reimbursement grant award.
- Nonroad Equipment
 - Includes diesel powered equipment and vehicles used in construction, handling of cargo (including at ports and airports), agriculture, mining, or energy production (including stationary generators and pumps).
 - Must provide documentation of operating at least 500 hours/year during the two years prior to upgrade (250 hours/year for agricultural pumps)
 - The applicant must commit to reporting usage information for at least five (5) years following the reimbursement grant award.

Applicants must demonstrate administrative capacity to manage their grant funds and comply with applicable state and federal fiscal requirements including, but not limited to, accounting, recordkeeping, procurement, and reporting procedures. Grants are administered on a **reimbursement** basis. Applicants must also demonstrate ability to manage their project, document matching funds, and report on progress of deliverables specified in a Grant Agreement.

It is the Department's policy that financial assistance shall neither directly or indirectly benefit parties whose willful action or inaction has resulted in damage to the environment. At the Director's discretion, the Department may restrict, delay, or limit funding due to the occurrence of criminal, civil enforcement actions, or compliance matters. To be eligible for grants, applicants must disclose any existing violations and compliance actions. This includes the issuance of any Notice of Intent to Enforce.

3. Project Eligibility

As outlined in the [2021 Diesel Emissions Reduction Act \(DERA\) State Grants Program Guide \(EPA-420-B-21-027, May 2021\)](#), the following types of costs are eligible to receive grant monies from the State Clean Diesel (DERA) Fund this year:

- On Road Vehicle Replacements (Diesel, Alternative Fuel, Low NOx, Fuel Cell, All-Electric);
- **School Bus Replacements (ZERO EMISSION/ELECTRIC ONLY)*;**
- Nonroad Equipment/Vehicles (Diesel, Alternative Fuel, Low NOx, All-Electric); and
- Marine Engine Replacement (Diesel, Alternative Fuel, Low NOx, All-Electric)

*We will only accept applications for school bus replacement projects if they are zero emission (ZEV) replacements, all-electric, or fuel cell vehicles.

Examples of types of costs that are ineligible to receive grant monies from the State Clean Diesel (DERA) Fund include:

- a. Any costs incurred before a fully executed Grant Agreement is in place;
- b. Administrative costs including clerical support, monthly utility expenses, the purchase of office equipment, personnel costs associated with fund raising for the entity, etc.;
- c. State or Federal lobbying costs, penalties, fines, or regulatory fees including, but not limited to RIDEM permit fees, or any municipal fees. Response costs for emergency response actions caused or exacerbated solely by the applicant or their agents or assigns; and/or
- d. Proposed projects associated with unresolved litigation (administrative or judicial) with the Department or conditions or activities that have violated or are violating statutes or regulations administered by the Department shall be ineligible to receive Fund monies without the express written consent of the Director and the resolution of said litigation or violation(s).
- e. For battery electric powered vehicle, equipment and engine replacement projects, ineligible costs include power distribution to the pedestal, electrical panels and their installation, upgrades to existing electrical panels or electrical service, transformers and their installation, wiring/conduit and its installation, electricity, operation and maintenance,

stationary energy storage systems that power the equipment (e.g. batteries) and their installation, and on-site power generation systems that power the equipment (e.g., solar and wind power generation equipment) and their installation.

Please be aware that the Department and the State of Rhode Island take no responsibility for project work done outside the term or scope of a valid Grant Agreement or prior to full approval of an agreement. Grant Agreements are not valid until the Rhode Island Department of Administration issues the appropriate encumbrance (i.e. purchase order (PO) or PO release). All Grant Agreements must be signed and dated by an authorized agent of the applicant and the Department.

4. Available Project Categories

4.1 – On Road Diesel Vehicle Replacement

On road highway diesel vehicles and equipment can be replaced under this program with newer, cleaner vehicles and equipment that operate on diesel or alternative fuels and use engines certified by EPA and, if applicable, CARB to meet a more stringent set of engine emission standards. Replacement includes, but is not limited to, diesel vehicle/equipment replacement with newer, cleaner diesel, electric (grid, battery or fuel cell), hybrid or alternative fuel vehicles/equipment. All-electric (i.e. zero emission) vehicles and equipment do not require EPA or CARB certification. The eligible cost of a vehicle/equipment replacement includes the cost of modifications, attachments, accessories, or auxiliary apparatus necessary to make the equipment functional. The cost of additional “optional” components or “add-ons” that significantly increase the cost of the vehicle may not be eligible for funding under the grant; the replacement vehicle should resemble the replaced vehicle in form and function. For grid electric powered equipment replacements, examples of eligible replacement costs include, but are not limited to, the purchase and installation of electrical infrastructure or equipment to enable the use of power. Examples of ineligible costs include, but are not limited to, electricity, and operation and maintenance costs.

- On Road Diesel Vehicles and Buses (other than Drayage):
 - The state may fund up to 25% of the cost of a replacement vehicle powered by a 2019 model year or newer engine certified to EPA emission standards. Highway engine emission standards are on EPA’s website at: www.epa.gov/emission-standardsreference-guide/epa-emission-standards-heavy-duty-highway-engines-and-vehicles
 - The state may fund up to 35% of the cost of a replacement vehicle powered by a 2019 model year or newer engine certified to meet CARB’s Optional Low-NOx Standards of 0.1 g/bhp-hr, 0.05 g/bhp-hr, or 0.02 g/bhp-hr NOx. Engines certified to CARB’s Optional Low NOx Standards may be found by searching CARB’s Executive Orders for Heavy-duty Engines and Vehicles, found at: www.arb.ca.gov/msprog/onroad/cert/cert.php.
 - The state may fund up to 45% of the cost of an all-electric replacement vehicle.

Current Engine Model Year	Diesel Vehicle Replacement: Engine Model Year 2019+ (2015+ for Drayage)	Zero Emission or Low-NOx Vehicle Replacement: Engine Model Year 2019+
older - 2006	Yes	Yes
2007 - 2009	Yes	Yes
2010 - newer	No	Yes

- Drayage Vehicles:
 - The state may fund up to 50% of the cost of a replacement drayage truck powered by a 2013 model year or newer certified engine. A “Drayage Truck” means any Class 8 (GVWR greater than 33,000) highway vehicle operating on or transgressing through port or intermodal rail yard property for the purpose of loading, unloading or transporting cargo, such as containerized, bulk or break-bulk goods.
 - If selected for funding, the grant recipient will be required to establish guidelines to ensure any existing truck replaced with grant funds has a history of operating on a frequent basis over the prior year as a drayage truck, and to ensure any new truck purchased with grant funds is operated in a manner consistent with the definition of a drayage truck.

4.2 – Marine Engine Replacement

Marine Engine Replacement includes, but is not limited to, diesel engine replacement with an engine certified for use with diesel or a clean alternative fuel, diesel engine replacement with an electric power source (grid, battery or fuel cell), and/or diesel engine replacement with an electric generator(s) (genset). All-electric (i.e., zero emission) engine replacements do not require EPA or CARB certification.

The eligible cost of engine replacement includes the cost of modifications, attachments, accessories, or auxiliary apparatus necessary to make the equipment functional, including related labor expenses. Charges for equipment and parts on engine replacement projects are only eligible for funding if they are included in the certified engine configuration and/or are required to ensure the effective installation and functioning of the new technology but are not part of typical vehicle or equipment maintenance or repair. Examples of ineligible costs include, but are not limited to, electricity, and operation and maintenance costs.

- Marine Engine and Equipment:
 - The state may fund up to 40% of the cost (labor and equipment) of replacing a marine diesel engine with a 2019 model year or newer engine certified to EPA emission standards. Previous model year engines may be used if the engine is certified to the same emission standards applicable to the engine in EMY 2019. Marine engine emission standards are on EPA’s website at:

<https://www.epa.gov/emission-standards-reference-guide/epa-emission-standards-nonroad-engines-and-vehicles>

- The state may fund up to 60% of the cost (labor and equipment) of replacing a diesel engine with a zero tailpipe emissions power source.

Current Engine Category	Current Engine Horsepower	Current Engine Tier	Engine Replacement: Engine Model Year 2019+				
			Compression Ignition			Spark Ignition	Zero Emission
			Tier 1-2	Tier 3	Tier 4		
C1, C2	<803	Unregulated – Tier 2	No	Yes	No	Yes	Yes
C1, C2	≥804	Unregulated – Tier 2	No	No	Yes	Yes	Yes
C1, C2	<803	Tier 3	No	No	No	Yes	Yes
C1, C2	≥804	Tier 3	No	No	Yes	Yes	Yes
C1, C2	≥804	Tier 4	No	No	No	No	No
C3	All	Unregulated – Tier 2	No	Yes	No	No	No
C3	All	Tier 3	No	No	No	No	No

- **Marine Shore Connection:** No funds awarded under this program shall be used for marine shore connection system projects that are expected to be utilized less than 1,000 MW-hr/year.

4.3 - Marine Vessel Replacement

Marine vehicles can be replaced with newer cleaner vehicles and equipment that operate on diesel or alternative fuels and use engines certified by EPA and, if applicable, CARB to meet a more stringent set of engine emission standards. Replacement vessel must meet the same marine engine requirements as listed in 4.2.

The eligible cost of a vehicle/equipment replacement includes the cost of modifications, attachments, accessories or auxiliary apparatus necessary to make the equipment functional. The cost of additional “optional” components or “add-ons” that significantly increase the cost of the vehicle may not be eligible for funding under the grant; the replacement vehicle should resemble the replaced vehicle in form and function. For grid electric powered equipment replacements, examples of eligible replacement costs include, but are not limited to, the purchase and installation of electrical infrastructure or equipment to enable the use of power. Examples of ineligible costs include, but are not limited to, electricity, and operation and maintenance costs.

- Marine Vessel and Equipment:
 - The state may fund up to 25% of the cost of a replacement marine vessel or piece of equipment powered by a 2019 model year or newer engine certified to EPA emission standards. Previous engine model year engines may be used if the engine is certified to the same emission standards applicable to EMY 2019. Marine engine emission standards are on EPA’s website at: <https://www.epa.gov/emission-standards-reference-guide/epa-emission-standards-nonroad-engines-and-vehicles>
 - The state may fund up to 45% of the cost of a new, zero tailpipe emissions marine vessel or piece of equipment.

4.4 – Non Road Vehicle/Equipment Replacement

Nonroad vehicles and equipment can be replaced with newer, cleaner vehicles and equipment. Eligible replacement vehicles and equipment include those powered by diesel or clean alternative fuel engines (including gasoline), electric generators (gensets), hybrid engines, and zero tailpipe emissions power sources (grid, battery or fuel cell). To be eligible for funding, vehicles and equipment must be powered by engines certified by EPA and, if applicable, CARB emission standards. Zero tailpipe emissions vehicles and equipment do not require EPA or CARB certification. EPA’s annual certification data for vehicles, engines, and equipment may be found at: www.epa.gov/compliance-and-fueleconomy-data/annual-certification-data-vehicles-engines-and-equipment. EPA’s engine emission standards may be found at: www.epa.gov/emission-standards-reference-guide/allepa-emission-standards. Engines certified by CARB may be found by searching CARB’s Executive Orders for Heavy-duty Engines and Vehicles, found at: www.arb.ca.gov/msprog/onroad/cert/cert.php. Please see the Low-NOx Engine Factsheet found at www.epa.gov/dera/state for guidance on identifying engines certified to meet CARB’s Optional Low NOx Standards.

The eligible cost of a vehicle/equipment replacement includes the cost of modifications, attachments, accessories, or auxiliary apparatus necessary to make the equipment functional. The cost of additional “optional” components or “add-ons” that significantly increase the cost of the vehicle may not be eligible for funding under the grant; the replacement vehicle should resemble the replaced vehicle in form and function. For grid electric powered equipment replacements, examples of eligible replacement costs include, but are not limited to, the purchase and installation of electrical infrastructure or equipment to enable the use of power. Examples of ineligible costs include, but are not limited to, electricity, and operation and maintenance costs.

Current Engine Tier	Vehicle/Equipment Replacement: Engine Model Year 2019+				
	Compression Ignition			Spark Ignition	Zero Emission
	Tier 0-2	Tier 3-4i	Tier 4	Tier 2	
Unregulated – Tier 2	No	Yes*	Yes	Yes	Yes
Tier 3	No	No	Yes	Yes	Yes
Tier 4	No	No	No	No	Yes

*Tier 3 and Tier 4 interim (4i) allowed for vehicle/equipment replacement only when Tier 4 final is not yet available for OEM for 2021 model year equipment under the Transition Program for Equipment Manufacturers (TPEM).

5. Project Time Periods

All projects that receive grants must be completed by September 2022. Any project that finishes after this deadline will not be funded, unless an extension is approved by the Department. The Department encourages applicants to take into consideration and to plan adequate time for procurement and installation of materials in their project schedule.

6. Match Requirements

“Match” refers to the funds or services used to conduct a project that are not borne by grant funds. All project matches must: (1) relate directly to the project for which the match is being applied; (2) be reasonably valued; and (3) be supported by documentation. The table below explains the match requirements for each project type.

Project Type	DERA Funding Limits	Minimum Mandatory Match (Owner Contribution)
On Road Vehicle/ Equipment Replacement - Diesel or Alternative Fuel	25%	75%
On Road Vehicle/Equipment Replacement - Low NOx	35%	65%
On Road Vehicle/Equipment Replacement - All-Electric/Fuel Cell*	45%	55%
On Road Vehicle/Equipment Replacement – Drayage Truck*	50%	50%
Non Road Vehicle/Equipment Replacement – Diesel or Alternative Fuel	25%	75%
Non Road Vehicle/Equipment Replacement – Low NOx	35%	65%
Non Road Vehicle/Equipment Replacement – All – Electric/Fuel Cell**	45%	55%
Marine Engine Replacement - Diesel or Alternative Fuel	40%	60%
Marine Engine Replacement – All-Electric	60%	40%
Marine Vessel/Equipment Replacement – Diesel or Alternative Fuel	25%	75%
Marine Vessel/Equipment Replacement – All-Electric	45%	55%

*Eligible on road fuel cell projects are limited to hydrogen fuel cell vehicle replacements for eligible urban transit buses, shuttle buses and drayage trucks.

**Eligible non road fuel cell projects are limited to hydrogen fuel cell equipment replacements for eligible terminal tractors/yard hostlers, stationary generators, and forklifts. Fuel cell engine replacement is not eligible.

7. Updated RFP Information

During the application period, as the need arises, the Department may post additional information concerning this RFP and funding opportunity on its website. This may include clarification of commonly asked questions. Potential applicants are advised to periodically check the Department’s website.

8. Proposal Evaluation Criteria

To be awarded a grant, applicants must possess adequate fiscal and project management capabilities. Past performance on prior Department grants will be taken into account when assessing organizational capacity to effectively manage a project. Eligible proposals will be referred to an internal review by the Program Manager. The Program Manager will evaluate the

eligible proposals consistent with the scoring criteria developed in conjunction with the *State Clean Diesel Grant Program Information Guide* and applicable state requirements.

In accordance with the Multi – State Medium and Heavy Duty Zero Emission Vehicle Memorandum of Understanding (MHD ZEV MOU), the State of Rhode Island is making a pointed effort to reduce greenhouse gas emissions and pollutants in the medium and heavy duty (MHD) on-road sector. **Therefore, on-road applicants with a ZEV replacement for on-road MHD vehicles will be scored higher than diesel and traditional fuel replacements.**

Scoring criteria:

- Percent reduction of diesel emissions and/or greenhouse gas emissions (50%);
- Cost Effectiveness of emission reductions (20%)
- **(On Road Vehicle & Drayage Replacements Only)** Percent time vehicle travels or is operated in Rhode Island (20%);
- **(Non Road Vehicle & Equipment Only)** Percent time vehicle operated in Rhode Island (20%);
- **(Marine Engine and Vessel Replacements Only)** Percent of fish landed in Rhode Island (20%); and
- Additional measures to reduce emissions and improve greener practices (10%)

Projects will also be evaluated on the degree of which they meet the six criteria listed below. Locational criteria are based on where the vehicle/equipment operates, which may not be the same as the owner’s business address.

- Areas that receive a disproportionate quantity of pollution from diesel fleets, including ports, rail yards, terminals, construction sites, and school bus depots/yards
- Location in an environmental justice community
- Proximity to transportation hubs or corridors
- Location in an urban area, as defined by the U.S. Census Bureau
- Timeliness of implementation

9. How to Apply – Final Submission Deadline – November 5, 2021

Final proposals must be received by the Department no later than 4:00 p.m. on Friday, November 5, 2021. The proposal must include mandatory application forms, and all other supporting materials as appropriate; e.g. letters of support, photographs, etc. (Refer to Appendix A for the application).

10. Preparing the Proposal for Final Approval

For projects that are selected, the Department may request the applicant modify the project proposal based on comments identified during the project review and selection process. The applicant must submit a revised project proposal to the Department prior to final approval. The

Department will conduct a final review of the proposal and, if satisfied that all comments have been adequately addressed, the final proposal or scope of work will become the basis for the Grant Agreement that will be executed to formalize the grant award.

11. Project Administration

11.1 Grant Agreements

Grants will be awarded on a competitive basis until funds for that grant period are exhausted. Successful applicants will receive a grant offer specifying the amount, duration and conditions of the award. The grant offer will be in the form of a binding contract, the Grant Agreement. Other requirements to secure funding shall be the following:

- Recipients will be required to sign, accept, and return the original signed Grant Agreement to the Department within forty-five (45) days of the date of approval. Failure to execute the agreement within the forty-five (45) days may result in the cancellation of the grant award and may result in these funds being awarded to the next highest rated project;
- Recipients will have ninety (90) days from the date of the acceptance of the Grant Agreement to provide proof of the necessary grant match by letters of credit, loan agreements, dedicated escrow accounts or any other pre-approved proof of matching funds by the Department; and

All grant payments will be paid in the form of **reimbursement** payments for eligible expenses incurred in accordance with an approved project. Refer to Section 3 above for examples of eligible and ineligible costs. Requests for reimbursement must include an invoice, and documentation of the incurred, eligible costs. The type of documentation required to receive reimbursement will be detailed in the grant offer and/or grant agreement. Grant recipients must enter into an agreement with the Department to establish mutually agreeable terms for completing the project. Items in the agreement include, *but are not limited to*:

- Scope of project, including schedule;
- Interim and final reporting requirements;
- Statement of the project's total budget, matching budget, and grant;
- Project payment schedule; and/or
- Record-keeping and reporting.

Payments will be made on a reimbursement basis in accordance with the payment schedule and terms contained in the Grant Agreement.

Grant recipients may be required to provide progress reports to the Department. Projects are expected to be completed in the timeframe of the Grant Agreement. All projects must be completed by September 2022. Time extensions may be granted.

11.2 Pre-project and Pre-contract Costs – The Department and the State of Rhode Island take no responsibility for project work done outside the term or scope of the Grant Agreement

or prior to full approval of a Grant Agreement. Applicants should NOT anticipate any funding for work that is done before approval of a Grant Agreement. Grant Agreements are not valid until the Rhode Island Department of Administration issues the appropriate encumbrance (i.e., purchase order). All Grant Agreements must be signed and dated by the Department.

- 11.3 Procurement** - The expenditure of funds pursuant to these grants is subject to state law governing procurement, including requirements for competitive bidding and goals for participation by minority or woman business enterprises (MBE/WBE). The Department reserves the right to review and approve the award of any contract or subcontract.
- 11.4 Suspension, modification or revocation** - The Director may suspend, modify or revoke any awards granted in the event that subsequent examination reveals any data included in an application form, submittal, reimbursement request, plan or sketch to be incorrect or not in compliance with the *State Clean Diesel Grant Program Information Guide* and applicable state requirements.
- 11.5 Stop Payment** - The Director may take appropriate action to stop payment of and/or seek the return of grant funds expended for any project where: (1) the applicant has obtained said grant based upon incomplete, false, misleading or erroneous information; or (2) the applicant has not completed the work approved under the grant in accordance with any and all conditions of approval issued by the Director in the grant award.

Appendix A: Final Application Content & Forms

On Road Vehicle (including Drayage) Replacement

Your completed application package should include the following:

- *Form 1: Signatures and Contacts (1 per application)*
- *Form 2: Application Cover Sheet (1 per application)*
- *Form 3: Application Form (1 per qualifying project)*
- *Any supplemental information requested on Form 2*

Marine Engine/ Marine Vessel Replacement

Your completed application package should include the following:

- *Form 1: Signatures and Contacts (1 per application)*
- *Form 2: Application Cover Sheet (1 per application)*
- *Form 3: Application Form (1 per qualifying project)*
- *Any supplemental information requested on Form 2*

Non Road Vehicle/Equipment Replacement

Your completed application package should include the following:

- *Form 1: Signatures and Contacts (1 per application)*
- *Form 2: Application Cover Sheet (1 per application)*
- *Form 3: Application Form (1 per qualifying project)*
- *Any supplemental information requested on Form 2*