**GRANT FUNDING OPPORTUNITY**

**California’s National Electric Vehicle Infrastructure Formula Program**



**Addendum 1**

GFO-23-601

[Solicitation Information](https://www.energy.ca.gov/funding-opportunities/solicitations" \o "California Energy Commission solicitation website)

https://www.energy.ca.gov/funding-opportunities/solicitations

State of California

California Energy Commission

**December 2023** [~~October 2023~~]

Added language appears in **bold underline**, and deleted language appears in [~~strikethrough~~] and within square brackets.

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# I. Introduction

## Purpose of Solicitation

This is a competitive grant solicitation. The California Energy Commission (CEC) announces the availability of up to $40,500,000 in grant funds for projects that will strategically deploy high-powered direct current **(DC)** fast charger [~~(DCFC)~~] electric vehicle (EV) charging infrastructure and establish an interconnected network to facilitate data collection, access, and reliability.

## Background

President Joseph R. Biden Jr. signed the Infrastructure Investment and Jobs Act (IIJA) into law in November 2021 (Public Law 117-58). The law authorizes hundreds of billions of dollars in new investments in a wide array of infrastructure categories, including roads and bridges, water infrastructure, passenger rail, energy, and broadband internet. EV charging infrastructure will see significant new funding, with $5 billion to accelerate EV infrastructure deployment nationally under the National Electric Vehicle Infrastructure (NEVI) formula program. California’s share is expected to be $384 million, allocated over 5 years.

NEVI is an initiative to create a coast-to-coast network of EV chargers focused on major highways that support the majority of long-distance trips. This national network will give drivers confidence that they can always find a place to charge, jump start private investment in charging infrastructure and EVs, and support President Biden’s goal of at least 50% of vehicle sales to be electric by 2030.[[1]](#footnote-2)

The CEC is collaborating with the California Department of Transportation (Caltrans) on charging infrastructure deployment and expects to enter into an agreement with Caltrans to implement and administer California’s NEVI formula program.

On September 14, 2022, the Federal Highway Administration approved *California’s Deployment Plan for the National Electric Vehicle Infrastructure Program.* To maximize NEVI investments and benefits to travelers, California’s initial deployment plan includes ongoing engagement and outreach efforts to shape the continued development and refinement of plan elements. The initial deployment plan will focus on investments in light-duty EV charging infrastructure and will consider projects that can also accommodate medium- and heavy-duty charging infrastructure. Subsequent plans will reevaluate NEVI investments across segments and will continue to evaluate the NEVI funding in the context of the broader set of state and federal investments in light-duty, medium-duty, and heavy-duty EV infrastructure.

The deployment plan will be updated to reflect progress, identify new challenges and opportunities, highlight future deployment plans, and ensure alignment with California’s EV charging infrastructure planning efforts, such as the state’s Zero Emission Vehicle Infrastructure Plan. California is committed to reviewing the outcomes from the deployment plan to determine best practices, ensure that the plan meets the program guidelines, and to confirm that the plan is accomplishing the state’s goals for a network of EV chargers.

## Key Activities and Dates

Key activities, including dates and times for this solicitation are presented below. An addendum will be released if the dates change for the asterisked (\*) activities. Times listed are Pacific Standard Time or Pacific Daylight Time, whichever is being observed.

|  |  |
| --- | --- |
| **ACTIVITY** | **ACTION DATE** |
| Solicitation Release | October 26, 2023 |
| Pre-Application Workshop\* | November 9, 2023 |
| Deadline for Written Questions\* | November 22, 2023 |
| Anticipated Distribution of Questions/Answers | Week of December 18, 2023 |
| **Support for Application Submission in the Energy Commission Agreement Management System (ECAMS) until 5:00 p.m.** | **Ongoing until January 26, 2024** |
| **Deadline to Submit Applications by 11:59 p.m.\*** | **January 26, 2024** |
| Anticipated Notice of Proposed Awards Posting | Week of April 22, 2024 |
| Anticipated CEC Business Meeting | July 2024 |

## How Award Is Determined

Applicants passing administrative and technical screening will compete based on evaluation criteria and will be scored and ranked based on those criteria. Unless CEC exercises any of its other rights regarding this solicitation (e.g., to cancel the solicitation or reduce funding), applications obtaining the highest score for each Corridor Group (see Section II.B, below) and at least a minimum passing score will be recommended for funding, ranked in order by Corridor Group as listed in Table 1 (below) until an Applicant has been proposed for each Corridor Group or until all funds available under this solicitation are exhausted.

If the funds available under this solicitation are insufficient to fully fund a grant proposal, CEC reserves the right to recommend partially funding that proposal. In this event, the proposed Applicant/Awardee and the Commission Agreement Manager (CAM) may meet and attempt to reach agreement on a reduced scope of work commensurate with the level of available funding.

## Availability of Funds

A total of $40,500,000 is available for awards under this solicitation. CEC, at its sole discretion, reserves the right to increase or decrease the amount of funds available under this solicitation.

## Maximum Award Amounts

The following table shows the maximum award amounts by corridor groups. The corridor group details are listed in Tables 2 and 3 on pages 12 and 13. An interactive map is also available on the CEC’s NEVI docket page and is included in the Reference Documents section, item 8.

Table 1: Maximum Awards for Corridor Groups

|  |  |  |
| --- | --- | --- |
| **Corridor Group** | | **Maximum Award** |
| 6A |  | $10,050,000 |
| 6B |  | $12,150,000 |
| 7 |  | $9,300,000 |
| 16 |  | $3,000,000 |
| 19 |  | $2,400,000 |
| 20 |  | $3,600,000 |

## Maximum Number of Applications

Applicants may submit no more than one application per corridor group. Each proposed project must be separate and distinct and adhere to all requirements contained in this solicitation. Applicants may also be project partners or subcontractors on other applications, but must be able to complete the work on all awarded projects.

## Single Applicant Cap

Applicants submitting multiple applications may only receive up to three awards under this solicitation. If an Applicant has the highest scoring applications in more than three of the corridor groups, the CEC intends to propose awards to such an Applicant by corridor group in the order listed in Table 1. If the highest-scoring application in a corridor group is not eligible because of the operation of the single applicant cap, the CEC intends to propose an award for that corridor group to the next-highest scoring application with at least the minimum passing score. The CEC reserves the right, at its sole discretion, to modify the single applicant cap.

## Pre-Application Workshop

There will be one Pre-Application Workshop; participation in this meeting is optional but encouraged. The Pre-Application Workshop will be held remotely through Zoom and conference call at the date, time and location listed below. Please call the Commission Agreement Officer (CAO) listed in the paragraph below or refer to the [CEC’s solicitation information website](https://www.energy.ca.gov/funding-opportunities/solicitations) at https://www.energy.ca.gov/funding-opportunities/solicitations to confirm the date and time.

California’s National Electric Vehicle Infrastructure Formula Program

Pre-Application Workshop

**November 9, 2023**

9:00 am to Noon (PST)

## Participation Through Zoom

Zoom is the CEC's online meeting service. When attending remotely, presentations will appear on your computer/laptop/mobile device screen, and audio may be heard via the device or telephone. Please be aware that the Zoom meeting will be recorded.

**Zoom Instructions:**

To join this workshop, go to Zoom at: [https://energy.zoom.us/j/87463805522?pwd=TGNpbEE1ZlpSSk1FNXRldGpCOHI4QT09](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fenergy.zoom.us%2Fj%2F87463805522%3Fpwd%3DTGNpbEE1ZlpSSk1FNXRldGpCOHI4QT09&data=05%7C01%7C%7C7a29d19475374ddc5dac08dbd4173971%7Cac3a124413f44ef68d1bbaa27148194e%7C0%7C0%7C638336968441990754%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=MZtqGRUo5aNbmWufleyvsi8MGFM9AQsp1cuwfBixBYY%3D&reserved=0). You may also access the workshop by going to the [Zoom webpage](https://join.zoom.us) at https://join.zoom.us and enter the unique meeting ID and password below:

**Meeting ID:** 874 6380 5522

**Meeting Password:** 015925

**Topic:** California’s NEVI Formula Program Pre-Application Workshop

**Telephone Access Only:**

Call (888) 853-5257 or (888) 475-4499 (toll-free). When prompted, enter the unique meeting ID number above. To comment over the telephone, dial \*9 to “raise your hand” and \*6 to mute/unmute your phone line.

**Access by Mobile Device:**

Download the application from the [Zoom Download Center](https://energy.zoom.us/download), https://energy.zoom.us/download

**Technical Support:**

For assistance with problems or questions about joining or attending the meeting, please call Zoom technical support at (888) 799-9666 ext. 2, or you may contact the CEC’s Public Advisor’s Office at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov), or (916) 957-7910.

To determine whether your computer is compatible with Zoom, visit this website:

<https://support.zoom.us/hc/en-us/articles/201362023-System-requirements-for-Windows-macOS-and-Linux>.

## Questions

During the solicitation process, for questions only related to submission of applications in ECAMS, please contact ECAMS.SalesforceSupport@energy.ca.gov. By contacting this email address, Applicants will be able to access a team of technical assistants who can answer questions about application submission. Please also see Section III for additional information about ECAMS.

Applicants may ask questions at the Pre-Application Workshop and may submit written questions via email to the CAO listed in the following section. However, all technical questions must be received by the deadline listed in the “Key Activities and Dates” table above. Questions received after the deadline may be answered at the CEC's discretion. Non-technical questions (e.g., questions concerning application format requirements or attachment instructions) may be submitted to the CAO at any time prior to 5:00 p.m. of the application deadline date. Similarly, questions related to submission of applications in ECAMS may be submitted to ECAMS.SalesforceSupport@energy.ca.gov at any time prior to 5:00 p.m. of the application deadline date.

Question and answer sets will be posted on CEC’s solicitation information website at https://www.energy.ca.gov/funding-opportunities/solicitations.

Any verbal communication with a CEC employee concerning this solicitation is not binding on the State and shall in no way alter a specification, term, or condition of the solicitation. All communication must be directed in writing to the CAO assigned to the solicitation.

## Contact Information

Enrico Palo, Commission Agreement Officer

California Energy Commission

715 P Street, MS-18

Sacramento, California 95814

Telephone: (916) 957-7856

E-mail: enrico.palo@energy.ca.gov

## Reference Documents

Applicants responding to this solicitation may want to familiarize themselves with the following documents:

1. [National Electric Vehicle Infrastructure Standards and Requirements](https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements)

https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements

1. [FACT SHEET: Biden-Harris Administration Announces New Standards and Major Progress for a Made-in-America National Network of Electric Vehicle Chargers](https://www.whitehouse.gov/briefing-room/statements-releases/2023/02/15/fact-sheet-biden-harris-administration-announces-new-standards-and-major-progress-for-a-made-in-america-national-network-of-electric-vehicle-chargers/)

https://www.whitehouse.gov/briefing-room/statements-releases/2023/02/15/fact-sheet-biden-harris-administration-announces-new-standards-and-major-progress-for-a-made-in-america-national-network-of-electric-vehicle-chargers/

1. California Energy Commission. [California's Deployment Plan for the National Electric Vehicle Infrastructure Program](https://dot.ca.gov/-/media/dot-media/programs/esta/documents/nevi/california-nevi-deployment-plan-ada-rev-20220804.pdf)

https://dot.ca.gov/-/media/dot-media/programs/esta/documents/nevi/california-nevi-deployment-plan-ada-rev-20220804.pdf

1. Joint Office of Energy and Transportation. [Technical Assistance](https://driveelectric.gov/technical-assistance/)

https://driveelectric.gov/technical-assistance/

1. National Archives – Federal Register. [Waiver of Buy America Requirements for Electric Vehicle Chargers](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.federalregister.gov%2Fdocuments%2F2023%2F02%2F21%2F2023-03498%2Fwaiver-of-buy-america-requirements-for-electric-vehicle-chargers&data=05%7C01%7C%7Ccc25529c1eb844c88ccd08db2c0cac86%7Cac3a124413f44ef68d1bbaa27148194e%7C0%7C0%7C638152206298870721%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=WLldU6vl4h8IdaWaEfjV1gVYYa38B2LCIJ6q%2BsyDeRA%3D&reserved=0)

https://www.federalregister.gov/documents/2023/02/21/2023-03498/waiver-of-buy-america-requirements-for-electric-vehicle-chargers

1. California Air Resources Board. [California Climate Investment Priority Populations 2022 CES 4.0](https://webmaps.arb.ca.gov/PriorityPopulations/) https://webmaps.arb.ca.gov/PriorityPopulations/
2. Joint Office of Energy and Transportation. [Electric Vehicle Charging Justice40 Map](https://anl.maps.arcgis.com/apps/webappviewer/index.html?id=33f3e1fc30bf476099923224a1c1b3ee)

https://anl.maps.arcgis.com/apps/webappviewer/index.html?id=33f3e1fc30bf476099923224a1c1b3ee

1. California Energy Commission. [NEVI Corridor Group Interactive Map (February 2023)](https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-program-nevi/californias)

https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-program-nevi/californias

1. California Energy Commission. [NEVI Docket](https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-program-nevi)

https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-program-nevi

1. California Energy Commission. [NEVI Matchmaker Tool](https://forms.office.com/pages/responsepage.aspx?id=RBI6rPQT9k6NG7qicUgZTqEU3EeANX9DvlX_on7oPclURVVLUTNBTkw1WlQ3WkxSOEQ5NUc1RUM1UC4u)

https://forms.office.com/pages/responsepage.aspx?id=RBI6rPQT9k6NG7qicUgZTqEU3EeANX9DvlX\_on7oPclURVVLUTNBTkw1WlQ3WkxSOEQ5NUc1RUM1UC4u

1. [Electric Vehicle Infrastructure Training Program](https://evitp.org/)

https://evitp.org/

1. California Air Resources Board. [Senate Bill 350 Low-Income Barriers Study, Part B: Overcoming Barriers to Clean Transportation Access for Low-Income Residents](https://ww2.arb.ca.gov/resources/documents/carb-barriers-report-final-guidance-document). https://ww2.arb.ca.gov/resources/documents/carb-barriers-report-final-guidance-document.
2. California Energy Commission. [Senate Bill 1000 California Electric Vehicle Infrastructure Deployment Assessment](https://www.energy.ca.gov/programs-and-topics/programs/clean-transportation-program/electric-vehicle-infrastructure)

https://www.energy.ca.gov/programs-and-topics/programs/clean-transportation-program/electric-vehicle-infrastructure

1. California Energy Commission. [Assembly Bill 2127 Electric Vehicles Charging Infrastructure Assessment](https://www.energy.ca.gov/programs-and-topics/programs/electric-vehicle-charging-infrastructure-assessment-ab-2127)

https://www.energy.ca.gov/programs-and-topics/programs/electric-vehicle-charging-infrastructure-assessment-ab-2127

1. California Air Resources Board. [Electric Vehicle Supply Equipment (EVSE) Standards.](https://ww2.arb.ca.gov/our-work/programs/electric-vehicle-supply-equipment-evse-standards)

https://ww2.arb.ca.gov/our-work/programs/electric-vehicle-supply-equipment-evse-standards.

1. California Department of Food and Agriculture, Division of Measurement Standards. [Zero-Emission Vehicle Projects.](https://www.cdfa.ca.gov/dms/programs/zevfuels/) https://www.cdfa.ca.gov/dms/programs/zevfuels/.
2. [Caltrans Local Assistance Guidelines and Procedures](https://dot.ca.gov/programs/local-assistance/guidelines-and-procedures)

https://dot.ca.gov/programs/local-assistance/guidelines-and-procedures

1. California Energy Commission. [2022-2023 Investment Plan for the Clean Transportation Program](https://efiling.energy.ca.gov/GetDocument.aspx?tn=246271)

(CEC-600-2022-053-REV)

https://efiling.energy.ca.gov/GetDocument.aspx?tn=246271

# II. Eligibility Requirements

## Applicant Requirements

1. **Eligibility**

This solicitation is open to all private entities, excluding Investor-Owned Utilities.

1. **Terms and Conditions**

Each grant agreement resulting from this solicitation will include terms and conditions that set forth the Recipient’s rights and responsibilities. By providing the required authorizations and certifications, each Applicant agrees to enter into an agreement, if awarded, with the CEC to conduct the proposed project according to the terms and conditions for this solicitation (Attachments 7 & 8).

Failure to agree to the terms and conditions by taking actions such as failing to provide the required authorizations and certifications or indicating that acceptance is based on modification of the terms may result in rejection of the application. Applicants must read the terms and conditions carefully. CEC reserves the right to modify the terms and conditions prior to executing grant agreements.

1. **California Secretary of State Registration**

All corporations, limited liability companies (LLCs), limited partnerships (LPs) and limited liability partnerships (LLPs) that conduct intrastate business in California are required to be registered and in good standing with the California Secretary of State prior to its project being recommended for approval at a CEC Business Meeting. If not currently registered with the California Secretary of State, Applicants are encouraged to contact the Secretary of State’s Office as soon as possible to avoid potential delays in beginning the proposed project(s) (should the application be proposed for funding). For more information, contact the Secretary of State’s Office via [the Secretary of State’s Office website](http://www.sos.ca.gov/) at www.sos.ca.gov. Sole proprietors using a fictitious business name must be registered with the appropriate county and provide evidence of registration to CEC prior to their project being recommended for approval at a CEC Business Meeting.

## Project Requirements

Each application must choose one of the six (6) identified corridor groups listed in Table 2. An Applicant may only submit one application per corridor group. Applicants must propose to deploy at least the minimum number of new charging stations and total number of new charging ports for each corridor segment within a corridor group, as detailed in Table 2 below. Applicants submitting multiple applications may only receive up to three awards under this solicitation. Applicants may also be project partners or subcontractors on other applications, but should assume that all projects may be awarded and, in that case, must be able to complete the work on all awarded projects.

Table 2: Corridor Group Details

| **Corridor Groups** | **Corridor Segments** | **Minimum Number New Charging Stations** | **Total Number of New CCS Charging Ports** |
| --- | --- | --- | --- |
| 6A | I-5: South of Sacramento to Kettleman City | 2 | 67 |
| 6B | I-5: South of Kettleman City to Santa Clarita | 2 | 81 |
| 7 | SR 58: (I-5/SR 58) Buttonwillow to Barstow | 4 | 16 |
| I-15: Hesperia to Nevada | 2 | 38 |
| I-40: Barstow to Needles | 1 | 8 |
| 16 | I-8: San Diego to El Centro | 2 | 8 |
| I-15: San Diego to Murrieta | 2 | 8 |
| I-805: San Diego to San Ysidro | 1 | 4 |
| 19 | I-210: Sylmar to Redlands | 1 | 4 |
| I-215: Murrieta to San Bernardino | 2 | 8 |
| I-405: Mission Hills to Irvine | 1 | 4 |
| 20 | I-110: Los Angeles to San Pedro | 2 | 8 |
| I-710: Los Angeles to Long Beach | 2 | 8 |
| I-605: Irwindale/Duarte to Seal Beach | 1 | 4 |
| I-105: El Segundo to Norwalk | 1 | 4 |

**Table 3: Required Locations**

| **Corridor Groups** | **Corridor Segments** | **Required Site(s)\*** |
| --- | --- | --- |
| 6A | I-5: South of Sacramento to Kettleman City | None |
| 6B | I-5: South of Kettleman City to Santa Clarita | None |
|  | SR 58: (I-5/SR 58) Buttonwillow to Barstow | I-5/SR 58 (Buttonwillow) SR 58/I-15 (Barstow) |
| 7 | I-15: Hesperia to Nevada | None |
|  | I-40: Barstow to Needles | Ludlow |
|  | I-8: San Diego to El Centro | None |
| 16 | I-15: San Diego to Murrieta | I-15/I-5 (San Diego)  I-15/I-215 (Murrieta) |
|  | I-805: San Diego to San Ysidro | I-805/I-5 (San Diego) |
|  | I-210: Sylmar to Redlands | I-210/I-5 (Sylmar) |
| 19 | I-215: Murrieta to San Bernardino | I-215/I-15 (Murrieta)  I-215/I-15 (San Bernardino) |
|  | I-405: Mission Hills to Irvine | I-405/I-5 (Mission Hills) |
|  | I-110: Los Angeles to San Pedro | I-110/I-10 (Los Angeles)  I-110/SR 47 (San Pedro) |
| 20 | I-710: Los Angeles to Long Beach | I-710/I-10 (Los Angeles)  I-710/SR 1 (Long Beach) |
|  | I-605: Irwindale/Duarte to Seal Beach | I-605/I-210 (Irwindale/Duarte) |
|  | I-105: El Segundo to Norwalk | I-105/I-605 (Norwalk) |

**\* The charging stations deployed at the required sites listed in Table 3 must be located within one mile, per the requirements of Section II.B.2 Project Location, of *both* freeways if the required site is a junction of two freeways.**

Please refer to the Department of Energy’s [Alternative Fuels Data Center](http://www.afdc.energy.gov/fuels/electricity_locations.html) (<http://www.afdc.energy.gov/fuels/electricity_locations.html>) and [PlugShare](http://www.plugshare.com) (<http://www.plugshare.com>) for up to date existing and planned DC **fast charger** [~~FC~~ ~~charging~~] station information. [California’s NEVI Funding Program Map](https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-program-nevi/californias) (https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-program-nevi/californias) displays DC fast charger sites (as of October 2023) along corridors.

1. **Compliance with Requirements Applying to NEVI Projects**

Project selection and grant administration shall be consistent with the Bipartisan Infrastructure Law, enacted as the Infrastructure Investment and Jobs Act (IIJA), (Pub. L. 117-58). The NEVI Formula Program is authorized under Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J of the Bipartisan Infrastructure Law.

Applicants should take note that there are special requirements associated with federal NEVI funding, which will apply to projects awarded under this grant. Those requirements are laid out in detail in the terms and conditions which will be required for grants awarded under this GFO, which are referenced in Section II.A.2 above. Without limitation to those terms or any other provision of this solicitation or resultant grant agreements, applicants should in particular note that all work must comply with the Build America, Buy American Act, Davis Bacon Act, National Environmental Policy Act, the Americans with Disabilities Act of 1990, Title VI of the Civil Rights Act of 1964, all applicable requirements of Title VIII of the Civil Rights Act of 1968, the Uniform Relocation Assistance and Real Property Acquisition Act (49 CFR 24 et seq.), and the requirements of the federal NEVI Program, including the requirements of USC Title 23, Chapter 1; and 2 CFR part 200; and 23 CFR parts 35 and 36; and any promulgated regulations for the federal NEVI Program, and California’s NEVI Deployment Plan, as amended from time to time.

1. **Project Location**

* All proposed charging stations must be within California, along one of the six (6) specified corridors groups (see Table 2).
* Proposed charging stations must be installed in the required locations identified in Table 3, if applicable.
* The charging stations must be located within one mile, as a car drives by the shortest route, of the identified corridor segment’s nearest off-ramp. The charging stations must be easily accessible via a route that can safely and conveniently accommodate all light-duty EVs traveling to the facility, entering and leaving the facility, returning to the highway, and continuing in the original direction of travel.
* Charging station locations are encouraged to be placed on existing paved lots.
* Proposed charging stations must not be located on sites or property owned by Caltrans.

1. **California Disadvantaged, Low-Income, and Justice40 Communities**

A minimum of 50% of the deployed chargers should be physically located within a disadvantaged and/or low-income community.

At least 40% of the deployed chargers should be physically located within a Justice40 Community.

Disadvantaged communities (DAC) are formally designated into the following four categories:

1. Census tracts receiving the highest 25% overall scores in CalEnviroScreen 4.0.
2. Census tracts lacking overall scores in CalEnviroScreen 4.0 due to data gaps but receiving the highest 5% of CalEnviroScreen 4.0 cumulative pollution burden scores.
3. Census tracts identified in the 2017 DAC designation as disadvantaged, regardless of their scores in CalEnviroScreen 4.0.
4. Lands under the control of federally recognized Tribes.

Low-income communities (LIC) are census tracts with median household incomes at or below 80% of the statewide median income or with household incomes at or below the threshold designated as low income by the California Department of Housing and Community Development’s list of state income limits adopted pursuant to Section 50093 of the California Health and Safety Code.

Please refer to the [California Climate Investments Priority Populations 2022 CES 4.0 Map](https://webmaps.arb.ca.gov/PriorityPopulations/), available at https://webmaps.arb.ca.gov/PriorityPopulations/, for designations of disadvantaged and low-income communities.

Justice40 Communities are the U.S. Department of Transportation and U.S. Department of Energy’s interim definition of disadvantaged communities for NEVI. The communities highlight energy and transportation-burdened communities, communities facing high rates of environmental pollution, those whose economies are highly dependent on fossil energy sources, and those with high social vulnerability. Federally recognized Tribal Nations and U.S. Territories are included in the definition.

Please refer to [Argonne National Laboratory’s Electric Vehicle Charging Justice40 Map](https://anl.maps.arcgis.com/apps/webappviewer/index.html?id=33f3e1fc30bf476099923224a1c1b3ee), available at https://anl.maps.arcgis.com/apps/webappviewer/index.html?id=33f3e1fc30bf476099923224a1c1b3ee, for designations of Justice40 communities (May 2022).

1. **Corridor Coverage**

The distribution of stations must meet the requirement that each corridor segment have a NEVI-compliant charging station at least every 50 miles.

1. **Number of Charging Stations**

Applicants must propose to install at least the Minimum Number of New Charging Stations for each corridor segment listed in Table 2.

Applicants may propose additional charging stations beyond the minimum number of new charging stations listed in Table 2. Applicants may propose to utilize existing charging stations to install a portion of the Total Number of New Charging Ports if the Minimum Number of New Charging Stations for each corridor segment is still met. Existing and new sites must comply with all solicitation requirements.

1. **Number of Charging Ports**

Applicants must propose installing the Total Number of New CCS Charging Ports for each corridor segment listed in Table 2. Applicants may install additional chargers, but these chargers cannot be included in the proposed project. Additional chargers cannot use NEVI Program funding and cannot count towards the Applicant’s Match funding. Additional chargers beyond the Total Number of New Charging Ports will not be evaluated.

1. **Charging Stations**

All successful Applicants must comply with all applicable laws, ordinances, regulations, and standards; federal, state, and local electrical and building codes for construction; and at all sites, equipment must be publicly accessible.

Since corridor charging stations offer a service to the public, accessibility to all EV drivers is required. Applicants should familiarize themselves with the Division of the State Architect’s requirements on complying with the Americans with Disabilities Act and coordinate with their local permitting agency.

1. **EV Charging Station Accessibility and Availability**

Each charging station must be publicly accessible 24 hours per day, 7 days per week, year-round. This does not prohibit isolated or temporary interruptions in service or access because of maintenance or repairs.

The charging stations must have paved parking spaces available to render electric charging services. Charging stations and parking areas must be well lit. The charger user must be able to easily read any instructions on the charger and the area around the vehicle must have adequate lighting to allow the driver to safely walk from the charger to the charging port on the vehicle.

1. **Project Team**

The Applicant, or the Subrecipient installing chargers, must be an Experienced Contractor which is defined as a company or organization with a proven record of accomplishment of overseeing the procurement, permitting, and installation of at least 20 DC fast chargers and completed at least three or more different property locations for three or more different customers since January 1, 2018.

Not every subcontractor or vendor must meet this definition to participate in the project. At minimum, the project team must include one Experienced Contractor to serve as a subject matter expert to all other contractors, if necessary.

The Applicant must select a charging network provider that has demonstrated experience or has the capability to provide networking services for the charging stations for at least the entire 5-year in-service requirement (see section II.B.16, below).

1. **Charging Equipment Requirements**

All the following requirements must be met:

* Each charging station must have at least four (4) charging ports that can simultaneously supply at least 150 kW each to a vehicle when requested.
  + Each charging port must support output voltages between 250 volts DC and 920 volts DC.
  + All charging ports must be capable of at least 375 Amps.
  + Each charging port must have at least one permanently attached CCS connector. Additional connector types such as CHAdeMO and NACS are allowed to be installed if the previous requirement is still met.
* The charging stations are strongly encouraged to have 480 volts 3-phase power available and adequate transformer capacity to serve the DC fast chargers.
* Each charging station should be supported by a grid connection of at least 600 kW. For charging stations not connecting to the grid with at least 600 kW, Applicants will need to justify how the charging station will still comply with the simultaneous supply of 150 kW per charging port requirement.
* All conduit runs installed, either for new charging stations or additional chargers at existing sites, must be sized to provide at least 350 kW.
* The chargers must be Energy Star certified and listed on the [Energy Star Product Finder Page](https://www.energystar.gov/productfinder/product/certified-evse/results) at https://www.energystar.gov/productfinder/product/certified-evse/results. Chargers do not have to be certified at the time of submitting the proposal, but must be certified prior to submitting an invoice that seeks repayment for the chargers. Chargers over 350 kW are not required to be Energy Star certified.
* The chargers must conform to ISO 15118-3, and hardware must be capable of implementing both ISO 15118-2 and ISO 15118-20.
* The chargers must include all necessary software and hardware to perform Plug-and-Charge using ISO 15118-2.
* Conformance testing for charger software and hardware should follow ISO 15118-4 and 15118-5, respectively.
* The chargers must conform to OCPP 2.0.1 or later. Manufacturers must attest that the charger conforms to OCPP 2.0.1 or later by detailing it on a publicly available charger specification sheet.
* The charger’s networking software must connect to a central management system using OCPP 2.0.1 for the purposes of charger management and data reporting, including for reliability data reporting requirements specified in the solicitation Scope of Work.
* The chargers must be designed to securely switch network providers without any changes in hardware.
* The chargers and charging software must meet all the NEVI cybersecurity requirements listed in the final NEVI Standards and Requirements.
* The chargers must be networked and must include the following three abilities:
  + 1. Have network connectivity with one of the following:
       - IEEE 802.11n for high-bandwidth wireless networking, or
       - IEEE 802.3 for Ethernet for local- or wide-area network applications
    2. Be able to receive remote software updates, real-time protocol translation, encryption, and decryption, including:
       - Internet Protocol (IP)-based processor which must support multiple protocols, and
       - Compliance with Transmission Control Protocol (TCP)/IP and IPv6.
    3. Be able to connect to a network’s back-end software
* Each charging port must be covered by and included in a networking agreement for at least five (5) years.
* The charging equipment must be certified by an Occupational Safety and Health Administration Nationally Recognized Testing Laboratory.
* The equipment must be able to withstand extreme weather conditions, including temperature extremes, flooding, heavy rains, and high winds.
* Display screens must be protected from malfunctions due to condensation and any local area weather conditions.

1. **Build America, Buy America**

Without limitation to all other requirements in the terms and conditions which will be required for grants awarded under this GFO, which are referenced in Section II.A.2 above, or any other provision of this solicitation or resultant grant agreements, applicants should in particular note that Recipients must comply with federal Buy America requirements consistent with the final Federal NEVI standards ([23 U.S.C. 313](https://www.govinfo.gov/content/pkg/USCODE-2021-title23/pdf/USCODE-2021-title23-chap3-sec313.pdf) at https://www.govinfo.gov/content/pkg/USCODE-2021-title23/pdf/USCODE-2021-title23-chap3-sec313.pdf) and Build America, Buy America Act (Pub. L. No 117-58, div. G sections 70901-70927). This includes, but is not limited to, requirements that all iron and steel; all manufactured products; and all construction materials that are used in the project are produced in the United States. Applicants are encouraged to review the Federal requirements and to verify with their equipment supplier(s) that their equipment meets and can document compliance with this requirement.

1. **Electric Vehicle Infrastructure Training Program (EVITP)**

AB 841 (Ting, 2020) added Public Utilities Code (PUC) section 740.20, which requires Electric Vehicle Infrastructure Training Program (EVITP) certification to install EV charging infrastructure and equipment for work performed on or after January 1, 2022, subject to certain exceptions. EVITP requirements apply to projects awarded under this solicitation.

All EV charging infrastructure and equipment located on the customer side of the electrical meter shall be installed by a contractor with the appropriate license classification, as determined by the Contractors’ State License Board, and at least one electrician on each crew, at any given time, who holds an EVITP certification. Projects that include installation of a charging port supplying 25 kW or more to a vehicle must have at least 25% of the total electricians working on the crew for the project, at any given time, who hold EVITP certification. One member of each crew may be both the contractor and an EVITP certified electrician. The requirements stated in this paragraph do not apply to any of the following:

* + - Electric vehicle charging infrastructure installed by employees of an electrical corporation or local publicly owned electric utility.
    - Electric vehicle charging infrastructure funded by moneys derived from credits generated from the Low Carbon Fuel Standard Program (Sub article 7 (commencing with Section 95480) of Article 4 of Subchapter 10 of Chapter 1 of Division 3 of Title 17 of the California Code of Regulations).
    - Single-family home residential electric vehicle chargers that can use an existing 208/240-volt outlet.

1. **Charging Stations Installed After January 1, 2024.**

In addition to the other requirements set forth in this solicitation, the terms and conditions applicable to the Recipient and the law, EV chargers and charging stations installed on or after January 1, 2024**,** must comply with recordkeeping and reporting standards which CEC is currently in the process of developing. As background, [AB 2061](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fleginfo.legislature.ca.gov%2Ffaces%2FbillNavClient.xhtml%3Fbill_id%3D202120220AB2061&data=05%7C01%7C%7C42d6b61b96eb4134116008daf00cb71d%7Cac3a124413f44ef68d1bbaa27148194e%7C0%7C0%7C638086234657292031%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=%2FjFT6dJ0RhiGO8Tn%2FRwBEe99Xyouv9b4PvmPOJQLU5c%3D&reserved=0), found at https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=202120220AB2061, and Cal. Pub. Resources Code sect. 25231.5 require the CEC, in consultation with the CPUC, to develop recordkeeping and reporting standards for EV chargers and charging stations. CEC is working to develop regulations in compliance with AB 2061. Other requirements, including but not limited to uptime and operation and maintenance requirements, may also be adopted by regulation. Once these regulations are finalized, chargers which are installed on or after January 1, 2024, including chargers installed under agreements resulting from this solicitation, will need to comply with the new regulations. Applicants to this solicitation must be prepared to comply with any new or updated regulations, even if the regulations are not in existence at the time of application to this solicitation.

1. **AB 2974 Small Business Goal [~~Requirements~~]**

AB 2974 (Committee on Jobs, Economic Development, and the Economy, Chapter 600, Statutes of 2022) requires that California state [~~projects using~~] **agencies awarding** funds from the federal Infrastructure Investment and Jobs Act of 2021**, which includes NEVI, establish a 25% small business participation goal. Applicants are expected to achieve this 25% small business participation goal and explain their plan to achieve it in their Project Narrative addressing Project Budget and Finances as described in Section III.D.2.g.** [~~should spend at least 25% of the NEVI funds on small businesses. Caltrans is currently seeking an exemption to this requirement for equipment and materials. Applicants may assume this exemption for equipment and materials will be approved when preparing their applications. If this exemption is not approved, the CEC will issue an addendum amending this section’s language.~~]

[~~For this solicitation there is a requirement that at least 25% of the NEVI funding allocated to sub-awardees or vendors should be defined as a small business.~~]

1. **Data Submittals**

Applications that result in proposed awards and executed agreements will be required to **perform recordkeeping and report on charger operations and reliability as specified in the solicitation Scope of Work (Attachment 1)** [~~submit various data at different intervals~~]. These **requirements** include quarterly**,** [~~and~~] annual**, and one-time** data submittal**s**, as well as real-time reporting of charger status and **charging session** [~~price~~] information through application programming interface **(API)** for third-party developers. Applicants should familiarize themselves with the [National Electric Vehicle Infrastructure Standards and Requirements](https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements) found at https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements and the solicitation Scope of Work requirements and ensure they have systems in place to comply.

1. **Operation, Maintenance, and Uptime**

Each charging port, charger, and charging station installed must operate for public use for at least five (5) years after its commissioning date.

Each charging port must have an average annual uptime of greater than 97%. A charging port is considered to be “up” when its hardware and software are both online and available for use, or in use, and the charging port successfully dispenses electricity in accordance with requirements for the minimum power level. Each charger shall meet the specific recordkeeping, maintenance, and reporting requirements detailed in the solicitation Scope of Work **(Attachment 1)**.

Charging port uptime must be calculated on a monthly basis for the previous twelve months and use the following equation:

**µ = ((525,600−(T\_outage−T\_excluded))/525,600) × 100**

**where:**

**µ = port uptime percentage**

**T\_outage = total minutes of outage in previous year**

**T\_excluded = total minutes of outage in previous year caused by the following reasons outside the charging station operator's control, provided that the charging station operator can demonstrate that the charging port would otherwise be operational: electric utility service interruptions, failure to charge or meet the EV charging customer's expectation for power delivery due to the fault of the vehicle, scheduled maintenance, vandalism, or natural disasters. Also excluded are hours outside of the identified hours of operation of the charging station.**

[~~U­­~~~~c~~ ~~= Charging Port Uptime~~

~~T~~~~c~~ ~~= 525,600 minutes~~

~~D~~~~c~~ ~~= Total charging port downtime for the reporting period, in minutes.~~

~~E~~~~c~~ ~~= Total charging port excluded downtime in the reporting period, in minutes.~~]

It will be the grant Recipient’s responsibility to demonstrate that this uptime requirement is met.

1. **Payment Options**

All the following requirements must be met:

* The public charging stations must provide secure payment methods, accessible to persons with disabilities, and must at minimum include:
  + Near Field Communication (NFC) and Radio Frequency Identification (RFID) contactless payment methods that accept major debit and credit cards.
  + Either an automated toll-free phone number or short message/messaging system (SMS) that provides the EV charging customer with the option to initiate a charging session and submit payment.
* Additional payment mechanisms may be offered, such as Plug-and-Charge or payment through mobile apps.
* Any customer or vehicle with the appropriate charging port connection must be allowed to utilize the charging station. Charging cannot be restricted to a specific customer base or vehicle manufacturer.
* The charging stations must not require a membership for use.
* The charging stations must not delay, limit, or curtail power flow to vehicles on the basis of payment method or memberships.
* The charging stations must provide access for users that are limited English proficient and accessibility for people with disabilities.
* Automated toll-free phone numbers and SMS payment options must clearly identify payment access for these populations.
* The point-of-sale and supporting network must use an open protocol to allow subscribers of other EV charging system networks to access the charging station.
* The point-of-sale and supporting network must be secure and meet the final NEVI cyber security requirements.

1. **Customer Service**

The project must provide customer support service and ensure that EV charging customers have mechanisms to report outages, malfunctions, and other issues with the charging infrastructure. Mechanisms may include, but are not limited to, a toll-free telephone number, an email, instant messaging chat, or an online portal. The customer support service must be capable of providing or dispatching services to address customer concerns at the charging station. Customer support must be available in at least English and Spanish. Projects must comply with the American with Disabilities Act of 1990 requirements and multilingual access when creating reporting mechanisms.

1. **Highway and On-Site Signage**

The project must coordinate with appropriate local agencies and Caltrans for directional signage on and along the highway and local roads. The signs must meet the California Manual on Uniform Traffic Control Devices[[2]](#footnote-3) (CA MUTCD) standards, and all other applicable laws, ordinances, regulations, and standards. The Recipient shall coordinate with cities and counties on trailblazer[[3]](#footnote-4) signage on local roads leading to the charging location. This award may cover funding for trailblazer and on-site signage.

Grant Recipients may contact [Caltrans sign coordinators](https://dot.ca.gov/programs/safety-programs/sign-specs/district-sign-coordinators) and ask for sign installation on the State Highway System at https://dot.ca.gov/programs/safety-programs/sign-specs/district-sign-coordinators.

1. **Eligible Project Costs**

Costs incurred for the following are eligible for CEC reimbursement or as the Applicant’s match share, after an E-76 has been approved and the grant agreement has been formally executed:

* + Electric vehicle supply equipment (EVSE)
  + Transformers
  + Electric panels
  + Conduit
  + Wiring
  + Meters
  + Renewable distributed energy resources **capable of providing independent or supplemental power to the EV chargers. Eligible renewable distributed energy resources include solar photovoltaic and wind and if desired can be coupled with a battery energy storage system. Any of these systems must be interconnected to the charging system and must be separately metered from the site host's regular business meter**. [~~or energy storage equipment/systems capable of providing independent or supplemental power to the EV chargers~~]
  + [~~Photovoltaic solar panels separately metered for EV charging~~]
  + Installation costs
  + Planning and engineering design costs
  + Stub-outs
  + Demand management equipment
  + Networking licenses **for up to five (5) years of operations and which are purchased during the agreement term**
  + Equipment warranties **for up to five (5) years of operations and which are purchased during the agreement term**
  + Maintenance **provided during the agreement term for up to five (5) years of operations**, **or a** maintenance agreement [~~,~~] or a service level agreement **for up to five (5) years of operations and which is purchased during the agreement term**
  + Local engagement and outreach related to EV charging
  + Signage
  + EV charging infrastructure workforce development

The following project **costs and/or** types **ARE NOT** eligible for funding under this solicitation:

* + Vehicle purchases
  + A standard outlet (110/120 volt or 220/240 volt)
  + Level 1 and/or Level 2 chargers
  + Nonrenewable distributed energy resources
  + Distribution grid or other equipment costs that are otherwise covered by programs or tariff rules of the electric utilities are excluded
  + Projects that are mandated by any local, regional, state, or federal law, rule, or regulation
  + Projects that help the Applicant meet a performance requirement mandated by local, regional, state, or federal law, rule, or regulation
  + Paper studies or research projects (e.g., a study which assess the cost and feasibility of EV charging station installations along certain regions/corridors)
  + Projects that are primarily surveys to determine interest in the installation of EV charging stations in a particular region/corridor
  + Proposals for vehicle demonstrations or demonstrations of existing technologies

The following are not eligible for NEVI reimbursement but may be included as an Applicant’s match share.

* + Processes to comply with applicable legal requirements (e.g., permits from the local authority having jurisdiction (AHJ) and compliance with the Americans with Disabilities Act (ADA)), so **long as** costs claimed as match share for compliance with such requirements are incurred during the agreement term.

## Match Funding Requirements

1. **Total Match Share Requirement**

Applications must include at least 50% match of the total project cost.

“Match funding” or “match share” means cash or in-kind (non-cash) contributions provided by the Applicant/Recipient, Subrecipients, or other parties that will be used in performance of the proposed project.Match share percentage is calculated by dividing the total match share contributions by the total allowable project cost. *“*Total allowable project cost” is the sum of the CEC’s reimbursable share and Recipient’s match share of the project costs. Match share expenditures have the following requirements:

1. Total match share must conform to the “Cash Match Share Requirement” contained in this solicitation.
2. All match share expenditures must conform to the terms and conditions of this solicitation and the resulting agreement (see Attachment 7).
3. Applicants must disclose the source and provide verification and documentation for the match share funding committed to the project. For any match share committed by a third party (i.e., other than match share committed by the Applicant), Applicants are encouraged to submit a letter from each match share partner identifying the source(s) and availability of match funding.
4. During the term of the agreement, Recipients will be required to document and verify all match share expenditures through invoices submitted to CEC.
5. Match share funding may be in the form of cash or in-kind contributions such as donated labor hours, equipment, facilities, and other property.
6. Equipment, facilities, and property may count as match funds if the value of the contribution is based on documented market values or book values, prorated for its use in the project, and depreciated or amortized over the term of the project using generally accepted accounting principles (GAAP).
7. Match share expenditures (cash and/or in-kind) must be documented, reasonable, allowable, and allocable to the project as determined by CEC. The Federal Highway Administration (FHWA) must formally approve in-kind match share sources.
8. Match share expenditures are allowable under an agreement only if they are incurred after an agreement is fully executed with the CEC and after approval of the E-76 form for that agreement. Match expenditures incurred prior to the execution of an agreement and before approval of the E-76 form will not be eligible costs. CEC is not liable for Applicant’s match share costs if the grant is not executed, if execution is delayed, or if the match share expenditure is not allowable under the terms and conditions of the grant or this solicitation. Please note that non-match expenditures incurred prior to agreement execution are not reimbursable from NEVI funds.
9. **Cash Match Share Requirement**

Applications must include a minimum 50% ***cash*** match share.

Cash match means the net of any funds expended by the Applicant for the project. Net means after any sort of discount or rebate is applied. Expenditures for Applicant’s compensated labor hours, including allowable fringe benefit and overhead rates, travel, materials, supplies, equipment, Subrecipient costs, and other miscellaneous expenditures may be claimed as cash match if the expenditures are included in the approved agreement budget, paid in full with funding sources other than grant funds, and supported with appropriate documentation, including proof of payment. For indirect overhead, backup documentation, such as a cost allocation plan based on actual expenditures incurred and paid, is required. Cost allocations must be reasonable and allocable to the proposed project.

1. **In-Kind Match Share**

The balance of the total match share requirement beyond the cash match share requirement (if any) may be met through in-kind match share contributions.

Applications that move to an executed agreement will require FHWA approval for any in-kind match funding sources. Applicants may propose in-kind match funding in their proposal’s budget. If FHWA does not approve the in-kind match source(s), then the Applicant must replace the ineligible match sources and will still be liable for the total match funding in the grant agreement. Please reference Section 3.9 Flexible Match in the [Local Assistance Procedures Manual](https://dot.ca.gov/programs/local-assistance/guidelines-and-procedures/local-assistance-procedures-manual-lapm) at https://dot.ca.gov/programs/local-assistance/guidelines-and-procedures/local-assistance-procedures-manual-lapm for more information.

In-kind match share contributions are: 1) non-cash contributions provided by the Applicant; 2) cash or non-cash contributions provided by a Subrecipient; and 3) cash or non-cash contributions provided by other third parties. Applicant in-kind match share can be in the form of volunteer labor, real property, existing equipment, existing supplies, services provided by a third-party or subcontract, and other expendable property. The value of in-kind match is based on the fair market value of the goods and services provided at the time it is claimed as match. In-kind match share must be included in the approved agreement budget and supported with appropriate documentation. Cost allocations must be reasonable and allocable to the proposed project.

1. **Match Share Restrictions**
2. ***Other Sources of CEC Funding*** – Other sources of CEC funding may not be used as match share. This includes block grants funded by the CEC.
3. ***Investor-Owned Utility Program Funding*** – Funding provided through utility tariff programs may not be used as match share.
4. ***Documentation*** – If selected for an award under this agreement, all claimed match share expenditures must be adequately documented to CEC during the agreement invoicing process.

## Unallowable Costs (Reimbursable or Match Share)

For an item of cost to be allowable for reimbursement with CEC funds or as match share expenditure, it must be included in the executed agreement budget and allowable per the terms and conditions of the resulting agreement. The following are examples of unallowable costs under an agreement resulting from this solicitation. This list is not comprehensive and additional items of cost may be unallowable in accordance with the agreement terms and conditions.

1. ***Utility Provided Electrical Upgrades and Funding*** – For example, expenses that are already or to be paid for through a utility program, tariff, or other ratepayer funding. This includes rate-payer-funded enrollment incentives.
2. ***Forgone Profit*** – For example, if a company usually charges 10% profit but only charges 4% to CEC the unclaimed difference is not an allowable item of cost.
3. ***Forgone Rent*** – For example, rent that is not paid is not an allowable item of cost.
4. ***Discounted or Refunded Equipment Costs*** – For example, a claim that equipment costs $10,000 but the grant Recipient only pays $6,000 due to some “special” discount. The difference of $4,000 is not an allowable match share expense. Another example is if the grant Recipient pays $10,000 but the vendor refunds $4,000 – only the net $6,000 is an allowable item of cost.
5. ***Additional Chargers Installed Above the Total Number of New Charging Ports Listed in Table 2.*** Applicants may install additional chargers beyond what is listed in Table 2, but the costs for the purchase and installation of the additional charging ports are not an allowable item of cost.
6. ***Forgone Salary, Fringe, Indirect or Other Types of Cost*** – For example, a person normally charges or is paid $100 per hour, but will only charge $50 per hour towards the CEC award. Only actual costs incurred and paid to the employee are allowable. Therefore, if an employee is ***actually*** paid $100 per hour and CEC only reimburses at $40 per hour, then the unreimbursed $60 per hour is an allowable match share cost because this is an actual payment as opposed to a forgone salary amount. Volunteer labor (i.e., labor from a person who does not receive any compensation for their labor) may be an allowable in-kind match share expense if the value of the labor is reasonable and justified.
7. ***Property Not Owned by the Applicant*** – Donated property may not be used for NEVI or match funding.
8. ***Existing Property Owned by the Grant Recipient*** – Applicants may use the property’s depreciation expense as a method to allocate the value of the property to the project. Valuation will need to be documented to support the initial acquisition costs as well as the method of depreciation.
9. ***Valuation of Land*** –Land cannot be claimed as NEVI match funding**.**
10. ***Property Owned by a Related Party*** –Related parties are individuals or other entities that can control or substantially influence the actions of the Applicant and includes spouses, board members, family members of principals or employees of the Applicant as well as property owned by principals/employees of the Applicant.

# III. Application Format, Required Documents, and Delivery

## Required Format for an Application

This section contains the format requirements and instructions on how to submit an application. The format is prescribed to assist the Applicant in meeting State requirements and to enable CEC and Caltrans to evaluate each application uniformly and fairly. Applicants must follow all application format instructions, answer all questions, and supply all requested data.

All applications submitted under this solicitation must be typed or printed using a standard 11‑point font, single-spaced and a blank line between paragraphs. Pages must be numbered and sections titled.

## Method For Delivery

The method of delivery for this solicitation is the [Energy Commission Agreement Management System (ECAMS)](https://ecams.energy.ca.gov/s/login/), available at https://ecams.energy.ca.gov/.

Information about ECAMS will be provided at the Pre-Application Workshop. Information about how to register for an ECAMS account and guidance on how to apply through the system is available at the [CEC Funding Resources website](https://www.energy.ca.gov/funding-opportunities/funding-resources) at https://www.energy.ca.gov/funding-opportunities/funding-resources under General Funding Information.

The CEC is providing a team of technical assistants to support Applicants with this new process. Please email [ECAMS.SalesforceSupport@energy.ca.gov](mailto:ECAMS.SalesforceSupport@energy.ca.gov) for support.

ECAMS allows Applicants to complete and submit their application to CEC prior to the date and time specified in this solicitation. Files uploaded to the system must be in Microsoft Word (.doc format) and Excel Office Suite formats unless originally provided in the solicitation in another format. PDF format is acceptable. The completed Proposal Budget Template, Attachment 4, must be in Excel format.

The deadline to submit grant applications through ECAMS is **11:59 p.m**. ECAMS automatically closes at 11:59 p.m. If the full submittal process has not been completed before 11:59 p.m., your application will not be considered. NO EXCEPTIONS will be entertained.

The CEC strongly encourages Applicants to upload and submit all applications by 5:00 p.m. because CEC staff will not be available after 5:00 p.m. or on weekends to assist with the upload process. And please note that while we endeavor to assist all would-be Applicants, we cannot guarantee staff will be available for consultation on the due date, so please plan accordingly.

Please give yourself ample time to complete all steps of the submission process: do not wait until right before the deadline to begin the process. Due to factors outside the CEC’s control and unrelated to ECAMS, upload times may be much longer than expected. For example, some past Applicants experienced unexpected issues on their end, causing long delays that prevented timely submission. They spent significant time and resources on applications the CEC will not consider.

Please plan accordingly. First time users must register as a new user to access the system. There will be two types of user accounts to establish: 1) An organizational account, for the entity applying to the solicitation; and 2) user accounts for individuals who will be submitting the application on behalf of the organization.

Applicants will be required to upload all attachments marked “required” in the system in order for the application to be submitted.

## Page Limitations

The number of pages for each project narrative is limited to twenty-five (25). Application forms, resumes, scope of work, schedule of products and due dates, budget forms, contact list, letters of support/commitment, CEQA worksheet, Operations and Maintenance Plan, Preliminary Signage Plan, Utility Verification Form, and National Environmental Policy Act Preliminary Environmental Study Form do not count towards this page limitation. The Operation and Maintenance Plan is limited to ten (10) pages. The Preliminary Signage Plan is limited to four (4) pages.

## Application Content

All items listed below are required as part of the application package. Failure to provide any items may result in disqualification of the application. Attachment requirements are expanded and explained below in this section and in the attachments themselves. The items that have “N/A” reflected in the “Attachment Number” column are required to be submitted as part of the application package, but do not have an associated attachment provided in the solicitation package.

|  |  |
| --- | --- |
| **Item** | **Attachment Number**  **(if applicable)** |
| Project Narrative | N/A |
| Scope of Work | Attachment 1 |
| Schedule of Products and Due Dates | Attachment 3 |
| Proposal Budget | Attachment 4 |
| Resumes | N/A |
| Contact List | Attachment 5 |
| Letters of Support/Commitment | N/A |
| CEQA Worksheet | Attachment 6 |
| Past Performance Reference Form(s) | Attachment 9 |
| Operations and Maintenance Plan | N/A |
| Preliminary Signage Plan | N/A |
| Utility Verification Form | Attachment 10 |
| National Environmental Policy Act Preliminary Environmental Study Form | Attachment 11 |

1. **Applicant Certifications**

***ECAMS will require Applicants to provide the required authorizations and certifications listed below prior to final submission of their application:***

All Applicants must certify under penalty of perjury under the laws of the State of California that:

* I am authorized to submit this application on behalf of the Applicant.
* I authorize the CEC to make any inquiries necessary to verify the information presented in this application.
* I authorize the CEC to obtain business credit reports and make any inquiries necessary to verify and evaluate the financial condition of the Applicant.
* I have read and understand the terms and conditions contained in this solicitation. I accept the terms and conditions contained in this solicitation on behalf of the Applicant and the Applicant is willing to enter into an agreement with the CEC to conduct the proposed project according to the terms and conditions without negotiation.
* I certify that (1) this application does not contain any confidential or proprietary information, or (2) if confidential information is allowed under the solicitation, it has been properly identified.
* I certify under penalty of perjury under the laws of the State of California that, to the best of my knowledge, the information contained in this application is correct and complete.
* I am authorized to agree to the above certifications on behalf of the Applicant.

1. **Project Narrative**

The Project Narrative must include a table of contents (which will not count towards the page limitations) and a detailed description of the proposed project, its operational goals and objectives, and an explanation of how these will be implemented through the tasks described in the Scope of Work.

Applicants must address each of the scoring criteria described in this solicitation by providing sufficient, unambiguous detail so that the evaluation team will be able to evaluate the application against each scoring criterion.

The Project Narrative must respond directly to each criterion with the headings as titled below, and must include the following information:

1. **Charging Station Design**
   1. List the proposed DC fast charging station locations, including addresses, if known. Provide a clear, concise, and compelling justification for the specific proposed station location(s). Detail if each proposed station is a new or existing location. Do not use “up to” for numbers of charging stations; use exact numbers or “at least.”
   2. Define the maximum distance between NEVI-compliant charging station locations, existing and/or proposed by this application. State the maximum distance between any proposed station location and the end of the off-ramp, or highway, if there is no off-ramp. Show that the proposed project will comply with the project eligibility criteria in Section II.B.2
   3. Provide a preliminary site design for each charging station and discuss the attributes of the site designs.
   4. Describe how the charging ports at each charging station will be capable of simultaneously supplying vehicles with 150 kW if requested. Identify the grid connection supply and any other systems such as battery energy storage systems (BESS) and photovoltaic panels that will be used to help supply and manage power at each charging station.
   5. Describe how the proposed charging stations are easily accessible via a route that can safely and conveniently accommodate EVs entering and leaving the facility, returning to the interstate highway, and continuing in the original direction of travel.
   6. Identify the make, model, quantity, and power levels of the DC fast chargers along with the number of charging ports and connector types that will be deployed at each charging station.
   7. Describe how the proposed charging stations are customer-friendly, easy to use, aesthetically pleasing, secure, and accessible to all EV drivers.
   8. Describe the restroom facility accessible by customers of the proposed charging stations, including hours of operation and any access restrictions, and demonstrate that it is ADA accessible and within easy walking distance of the charging station.
   9. Describe how the proposed charging stations always provide adequate lighting and shelter from inclement weather, through structures associated with the charging site or in proximity to the charging site, and how it is easily and safely accessible when traveling on foot or with any mobility device.
   10. Describe any other features of the charging station including driver amenities, or location near other facilities such as retail shops, restaurants, parks, pet relief areas, or others relevant to the experience of charging station customers.
   11. Describe any features of station design that provide or improve access and customer experience for drivers of vehicles towing trailers, or drivers of medium-duty vehicles (Class 2b – Class 6).
   12. The Preliminary Signage Plan will be evaluated in this criterion. See Section III.D.12 for details to include in the plan.
2. **Project Readiness**
   1. Document site control or access rights to the proposed charging stations or building facilities. Documentation may include, but is not limited to: leases, ownership, or access rights. If site control is not secured at the time of application, explain how site control will be obtained and the anticipated timeline to secure the project site.
   2. Identify the entity(ies) that will own and operate the proposed charging sites and equipment and detail their experience with operating DC fast charger charging stations.
   3. Describe how the proposed charging stations support the local region’s plans for EV charging and how local planning logistics were applied in selecting the charging site location(s). (If applicable)
   4. Provide a comprehensive list of permits required for the project as well as the permitting agencies the project will need to coordinate with. Identify which, if any sites, will require Caltrans right of way or other permits. Identify which permits have been obtained or the anticipated timelines to obtain the permits.
   5. Describe how the proposed project will be completed in an expeditious, effective, and efficient manner.
   6. Describe how the project’s proposed schedule has accounted for CEQA, NEPA, and right-of-way approvals and the estimated timelines are justified given the information provided in the CEQA Worksheet (Attachment 6), the NEPA PES Form (Attachment 11), and right-of-way research.
   7. Document communication with the utility provider for each charging station by completing a Utility Verification Form (Attachment 10) for each charging station.
   8. Document any communications with the manufacturer(s) that identify the estimated timeline to deliver the equipment. This includes chargers, switchgear, BESS, and any other equipment being proposed to install.
   9. In the case that a charging station location must be changed, describe the process by which a new site will be selected and evaluated to assure it meets or exceeds the original site characteristics. Describe the likely time duration of any process to change a site and propose the change to the CEC.
3. **Operations and Maintenance**
   1. The Operations and Maintenance Plan will be evaluated in this criterion. See Section III.D.2.11 for details to include in the plan.
   2. Describe the Applicant’s plan to continue the proposed project beyond the agreement term and minimum five-year data reporting period.
4. **Team Experience and Qualifications**
   1. Explain how the project team’s qualifications (including relevant expertise, experience, and skill sets) are suitable to the tasks described in the proposed Scope of Work.
   2. Detail the Applicant’s experience with federally funded projects and/or explain how the Applicant plans to meet and document compliance with all the federal requirements.
   3. Identify, by name, all key personnel assigned to the project, including the project manager, and clearly describe their individual areas of responsibility. The project manager is the one individual responsible for interacting with the CAM on all issues relating to the overall project and coordinating all aspects of work under the project.
   4. Explain how the Applicant or lead installation Subrecipient(s) from the proposed project team meet(s) the Experienced Contractor definition. See Section II.B.9.
   5. Explain how the Applicant’s selected charging station network provider has demonstrated experience or the capability to keep the charging stations in service for at least the entire five-year in-service requirement with plans to keep the stations in service beyond the term of the agreement.
   6. Identify which installation contractors have EVITP certified electricians, or detail the plan to comply with the EVITP labor requirement.
   7. Explain how the Applicant can meet deadlines and complete milestones associated with large, complex projects, including examples of previously successful complex projects.
   8. Provide a list of past projects detailing relevant technical and business experience.
   9. Past Performance forms will be evaluated in this criterion. (If Applicable)
5. **Expected Project Benefits**
   1. Detail and document each charging station’s disadvantaged community percentile, whether it is in a low-income community, if it is in a tribal community, and whether it is in an Environmental Justice40 community.
   2. Describe how charging stations not located within disadvantaged, low-income, tribal community, or Environmental Justice40 communities may still provide a benefit to those communities.
   3. Describe how the project will benefit disadvantaged community, low-income community, tribal, and/or Environmental Justice40 residents and communities, including emission reduction, public health, economic, and cost-saving benefits.
   4. Discuss any methods to reduce or minimize the charging cost to drivers. Document your assumptions.
   5. Discuss methods, if any, to further reduce or minimize the cost of charging to disadvantaged community, low-income community, tribal, and/or Environmental Justice40 residents. Document your assumptions.
   6. Calculate and document the benefit-cost score defined as the ratio of grams of CO2 equivalent reduction per dollar of NEVI investment for the five-year operations requirement.
6. **Innovation and Sustainability**
   1. Describe the extent to which the proposed charging ports exceed the minimum required 150 kW charging rate.
   2. Describe methods, if any, the proposed project will use to reduce any utility demand charges, offset on-peak electricity usage (including demand charge reductions), or mitigate other adverse grid impacts. Examples include, but are not limited to, battery storage, use of renewable distributed energy resources, and energy management systems.
   3. Describe methods, if any, to facilitate driver charging sessions (such as a reservation or queuing system, facilitator, or valet service).
   4. Describe how the project includes innovations or advanced features, if any, including (but not limited to) renewable energy generation and integration, mitigating on-peak electricity demand, multi-use potential, innovative business models, reducing equipment or installation costs, and reduced operation and maintenance costs.
   5. Describe the proposed business model(s), if any, for the first five (5) years of operation including partnerships, sponsorships, advertising, or other revenue generation and cost mitigation.
7. **Project Budget and Finances**
   1. Describe how the proposed project’s budget is cost effective and reasonable relative to the Scope of Work.
   2. Describe how the amount of requested NEVI funding is reasonable relative to the expected benefits to California.
   3. Describe how the budget optimizes the balance between charger reliability and costs.
   4. Calculate the total charging port kilowatts (kW) the application proposes to install and compare it to the total NEVI funding the application is requesting to determine a public dollar per deployed kW cost share. Example: Application requests $10 million in NEVI funds to install (20) 150 kW charging ports and (20) 350 kW charging ports. The total kW is 10,000 kW. Requesting $10 million equates to $1,000/kW.
   5. Describe how the proposed project plans to meet **or exceed** California’s goal **of 25% small business participation** [~~that 25% of the NEVI funding be spent on contractors, equipment, and/or materials from small businesses~~] **per AB 2974 (Committee on Jobs, Economic Development, and the Economy, Chapter 600, Statutes of 2022)**.
   6. Provide the amount of Match Funds (cash and/or in-kind) and provide verification and documentation of the source and availability. If match funding is from a third party, Applicants must provide a letter of commitment documenting their funding support. Provide details (name and business location, type of entity, amount, etc.) for each match share funding partner.
   7. Describe how administration and overhead expenditures are minimized.
   8. Present credible strategies in securing additional capital, as needed, to ensure project success and the continued operations and maintenance of the project beyond the funding agreement.
   9. Describe how the proposed project will use income or revenue earned from the operation of the EV charging stations in compliance with the NEVI requirements.
8. **Scope of Work (Attachment 1)**

Applicants must include a completed Scope of Work utilizing the template contained in Attachment 1. Instructions for completing the Scope of Work as well as a sample are included in Attachment 2. The description of activities proposed in the Project Narrative must conform to the Tasks described in the Scope of Work. Electronic files for the Scope of Work must be in MS Word.

Applicants must present a comprehensive and credible Scope of Work which includes (presented in a logical manner) comprehensive and sequential tasks, products resulting from the individual tasks, and how the tasks are related to or are dependent on each other.

1. **Schedule of Products and Due Dates (Attachment 3)**

Applicants must include a completed Schedule of Products and Due Dates. All charging stations, chargers, and supporting equipment should be operational and open for public use within five (5) years from the agreement execution date. Instructions for the Schedule of Products and Due Dates are included in Attachment 3. Electronic files for the Schedule of Products and Due Dates must be in MS Excel.

1. **Budget Forms (Attachment 4)**

Because this solicitation is utilizing ECAMS for submitting applications, Applicants have two options for uploading a budget:

1. **Option 1: Prime Applicant’s budget is both keyed directly into ECAMS and uploaded as an MS Excel attachment; Major Subrecipient budgets are uploaded as MS Excel attachments.** ECAMS allows Applicants to build the Prime Applicant’s budget directly into the system. At this time, there is no way to input major Subrecipient budgets directly into the system. Instructions for inputting budget items into ECAMS are included at <https://www.energy.ca.gov/media/7956>.

2. **Option 2: Upload all budgets (Prime Applicant and Major Subrecipients) as MS Excel attachments** and leave the ECAMS budget sections blank in ECAMS.

The Applicant must submit information on ***all*** tabs of the budget forms. The salaries, rates, and other costs entered must reflect the salaries, rates, and other costs the Applicant would include if selected as a grant Recipient. A separate set of complete budget forms is required for the Applicant and for each subaward containing $100,000 or more of NEVI funds.

1. Detailed instructions for completing these forms are included at the beginning of Attachment 4.

1. Rates and job descriptions shown must reflect rates and job descriptions charged under an agreement resulting from this solicitation. The salaries, rates, and other costs entered on these forms become a part of the final agreement. The entire term of the agreement and projected rate increases must be considered when preparing the budget. Unless a federally approved indirect rate is used, indirect rates proposed are considered capped and shall not change during the term of the agreement. The grant Recipient shall only be reimbursed for their ***actual*** rates up to the indirect rate cap. A description of available indirect rate options is available on the ECAMS Resources webpage under [Budget Category Guidance](https://www.energy.ca.gov/funding-opportunities/funding-resources/ecams-resources/budget-category-guidance?auHash=cEItgat6JNbO9BFGeVqe4E5T6koCOgTaqliFX6bmwtg) for indirect rates. Unlike indirect rates, the rates for Direct Labor and Fringe Benefits are treated as estimates; a grant Recipient can invoice at higher rates if it is only invoicing for ***actual*** expenditures it has made. The hourly or monthly rates provided shall be unloaded (before fringe benefits or indirect costs).

2. The information provided in these forms will ***not*** be kept confidential.

3. All reimbursable expenditures must be expended within the approved term of the grant agreement. Expenditures may be counted as match share only after an agreement is executed and the E-76 form is approved. In-kind match funding sources must be approved by the FHWA.

4. Applicants must budget for the expenses of a Kick-off Meeting, at least one (1) Critical Project Review meeting, and a Final meeting. Meetings may be conducted at the CEC or remotely, as determined by the CAM.

5. Applicants must budget for permits, insurance, etc. CEC will not reimburse expenditures for permitting or insurance. However, these expenditures can be included as match share expenditure.

6. Applicants must budget for the preparation and submission of quarterly progress reports during the term of the agreement, and a Final Report. Instructions for preparing the Final Report will be provided to Applicants that are proposed for funding.

7. The purchase of equipment (defined as items with a unit cost greater than $5,000 and a useful life of greater than one year) with NEVI funds will require disposition of purchased equipment at the end of the project. Typically, grant Recipients may continue to utilize equipment purchased with NEVI funds if the use is consistent with the intent of the original agreement.

1. The Budget must reflect estimates for ***actual*** costs to be incurred during the approved term of the agreement. CEC can only approve and reimburse for actual costs that are properly documented in accordance with the grant agreement terms and conditions.
2. Applicants shall ***NOT*** budget for, and ***CANNOT*** be reimbursed for, more than their actual allowable expenses (i.e., the budget cannot include profit, fees, or markups) under the agreement. Subrecipients (all tiers) are allowed to include up to a maximum total of 10% profit, fees, or mark-ups on their own actual allowable expenses less any expenses budgeted to sub-Subrecipients (i.e., profit, fees and markups are not allowed on lower tier Subrecipient expenses). For example, if a Subrecipient has $100,000 in actual allowable costs but has budgeted $20,000 to a sub-Subrecipient, then the Subrecipient can only include up to 10% profit on $80,000 ($100,000 minus $20,000). See terms and conditions for additional restrictions and requirements.
3. ***IMPORTANT - Payment of Prevailing Wage:*** Applicants must read and pay particular attention to the terms and conditions section related to Public Works and payment of Prevailing Wages. Prevailing wage rates can be significantly higher than non-prevailing wage rates. Failure to pay legally required prevailing wage rates can result in substantial damages and financial penalties, termination of the grant agreement, disruption of projects, and other complications.
4. ***IMPORTANT - Davis Bacon Federal Wage:*** The final Federal NEVI requirements state that “As provided at 23 U.S.C. 109(s)(2), projects to install EV chargers are treated as if the project is located on a Federal-aid highway. As a project located on a Federal-aid highway, 23 U.S.C. 113 applies and Davis Bacon Federal wage rate requirements included at subchapter IV of chapter 31 of Title 40, U.S.C., must be paid for any project funded with NEVI Formula Program funds.”
5. **Resumes**

Applicants must include resumes for key personnel identified in the proposal. “Key personnel” are individuals that are critical to the project due to their experience, knowledge, and/or capabilities. Resumes are limited to a maximum of two (2) pages each.

1. **Contact List (Attachment 5)**

Applicants must include a completed Contact List by including the appropriate points of contact for the Applicant. CEC will complete the CEC points of contact during agreement development.

1. **Letters of Support/Commitment**

Applicants must submit a match funding commitment letter from each entity that is committing to providing match funding. A commitment letter commits an entity or individual to providing the service or funding described in the letter. Letters of support may also be submitted, but are not required. A support letter details an entity or individual’s support for the project.

* 1. **Site Hosts:** Applicants are encouraged to submit documentation showing the degree to which each proposed charging station site has been secured.
  2. **Key Project Partners (if applicable):** Key project partners identified in the application must provide letters demonstrating their commitment to the proposed project and their ability to fulfill their identified roles.
  3. **Third-party Match Share Contributors Letters of Commitment (if applicable):** Any third-party match share contributors must identify the intended amount of match that will be committed to the project, the funding source(s), and state that the match share contributor will provide the identified match funding. Letters of commitment from third party match share contributors must contain a telephone number and email address to allow CEC to contact the match share partner or representative to confirm their authority to commit matching funds to the proposed project.
  4. **Letters of Support (optional):** Applicants are encouraged to submit letter(s) of support that substantiate the estimated demand and/or the potential benefits of the proposed project. Third-party letters of support can be provided by, but are not limited to: air districts, state or federal agencies, local safety officials, potential users of the proposed project, and any other relevant organizations.

1. **CEQA Worksheet (Attachment 6)**

Each proposed project may be subject to California Environmental Quality Act (CEQA) compliance, as well as permitting and other requirements (Ca. Public Resources Code Section §§ 21000 et seq.), including National Environmental Policy Act (NEPA) compliance. All applications must adhere to the requirements specified in this section.

CEQA requires public agencies to identify the significant environmental impacts of their discretionary actions and to avoid or mitigate them, if feasible. Under CEQA, an activity that may cause either a direct or reasonably foreseeable indirect physical change in the environment is generally considered a project. Any project funded under this program may be considered a project under CEQA if it will cause a direct or reasonably foreseeable indirect physical change in the environment. Agencies must comply with CEQA before they discretionally approve a project. For projects that are exempt from CEQA, agencies may prepare and file a Notice of Exemption.

Applicants must complete the detailed CEQA Worksheet and submit it with their application. This worksheet will help Applicants and the CEC determine CEQA compliance obligations by identifying which projects may require more extensive CEQA review, and it will be used to help evaluate the Project Readiness evaluation criterion in this solicitation (see Section IV.E.2). Failure to complete the worksheet may lead to disqualification of the application. In the worksheet, the Applicant shall provide a detailed description of the project and all its components, as well as any direct physical changes and reasonably foreseeable indirect changes to the surrounding environment.

The Applicant must provide in Attachment 6 the following information as it pertains to the proposed project prior to receiving any funds:

1. Proposed Location: The Applicant must provide the specific address or equivalent location information for the proposed project.
2. Permits: The Applicant must identify the permits necessary for the project in the proposal narrative. If no permits are necessary, then the Applicant must state that in Attachment 6.
3. Project Impacts: The Applicant must describe the direct physical changes and reasonably foreseeable indirect changes to the surrounding environment that may result from the project, if any. Please see CEQA Worksheet.
4. Identify CEQA Lead Agency: The lead agency is the public agency that has the greatest responsibility for carrying out or approving a project and for preparing environmental review documents under CEQA. The lead agency is the public agency that has the greatest responsibility for approving the project as a whole. When issuing grants, CEC is typically a Responsible Agency under CEQA, which means that they must make CEQA findings based on review of the lead agency’s environmental documents approving the physical project subject to funding. While rare, if CEC is the only public agency with discretionary approval authority over the project, then CEC may act as the lead agency and prepare its own environmental documents (based on analysis provided by the Applicant). The lead agency will be identified using the following process:
5. Where the proposed project would require a discretionary approval from another permitting agency, the Applicant must identify the CEQA lead agency in the application and include documentation demonstrating that contact has been made with the lead agency with jurisdiction over the project for purposes of complying with CEQA. The documentation may be in the form of a letter from the lead agency that is stamped as received by the local agency.
6. If CEC is the only agency with discretionary approval over the proposed project, then CEC will act as the lead agency and will work with the Applicant to satisfy CEQA requirements.

Regardless of which agency is the lead agency for a proposed project, the Applicant shall be responsible for all costs associated with preparation of environmental review documents. The Applicant may also be required to retain a consultant to perform environmental studies as appropriate.

Applicants are encouraged to provide documentation of communication with the local lead agency, if one exists (e.g., a county or city). Documentation such as a completed notice of exemption, a letter from the local agency acknowledging their role in the CEQA process, or a permit application to the lead agency that is stamped as received. If no CEQA review would be required by the local lead agency, provide documentation (letter or e-mail) from the local agency explaining why CEQA review is not required.

**Additional Requirements**

* Time is of the essence. Funds available under this solicitation have encumbrance deadlines. This means that the CEC must approve proposed awards at a business meeting (usually held monthly) prior to encumbrance, to avoid expiration of the funds. Prior to approval and encumbrance, the CEC must comply with the California Environmental Quality Act (CEQA). To comply with CEQA, the Commission must have CEQA-related information from applicants and sometimes other entities, such as local governments, in a timely manner. Unfortunately, even with this information, the Commission may not be able to complete its CEQA review prior to the encumbrance deadline for every project. For example, if a project requires an Environmental Impact Report, the process to complete it can take many months. For these reasons, it is critical that applicants organize project proposals in a manner that minimizes the time required for the Commission to comply with CEQA and provide all CEQA-related information to the Commission in a timely manner such that the Commission is able to complete its review in time for it to meet its encumbrance deadline.
* Reservation of right to cancel proposed award. In addition to any other right reserved to it under this solicitation or that it otherwise has, if the CEC determines, in its sole and absolute discretion, that the CEQA review associated with a proposed project would not likely be completed prior to the encumbrance deadline referenced above, and that the Commission’s ability to meet its encumbrance deadline may thereby be jeopardized, the CEC may cancel a proposed award and award funds to the next highest scoring applicant, regardless of the originally proposed applicant’s diligence in submitting information and materials for CEQA review. Examples of situations that may arise related to CEQA review include but are not limited to:
* Example 1: If another state agency or local jurisdiction, such as a city or county, has taken the role of lead agency under CEQA, the CEC’s review may be delayed while waiting for a determination from the lead agency.
* Example 2: If the proposed work is part of a larger project for which a detailed environmental analysis has been or will be prepared by another state agency or local jurisdiction, the CEC’s review may be delayed as a result of waiting for a supplemental or initial analysis, respectively, from the other agency.
* Example 3: If the nature of the proposed work is such that a project is not categorically or otherwise exempt from the requirements of CEQA, and an initial study or other detailed environmental analysis appears to be necessary, the CEC’s review, or the lead agency’s review, may take longer than the time available to encumber the funds. If an initial study or environmental impact report has already been completed by a state agency or a local jurisdiction, serving as the lead agency, the applicant must ensure that such an analysis covers the work in the proposed project, or must obtain a revised analysis and determination from the lead agency reviewing the proposed project.
* Example 4: If the proposed project clearly falls under a statutory or categorical exemption, or is project for which another state agency or local jurisdiction has already adopted a CEQA finding that the project will cause no significant effect on the environment, the project will likely have greater success in attaining rapid completion of CEQA requirements.

The above examples are not exhaustive of instances in which the CEC may or may not be able to comply with CEQA within the encumbrance deadline and are only provided as further clarification for potential applicants. Please plan project proposals accordingly.

1. **Past Performance Reference Form(s) (Attachment 9)**

Applicants must complete and submit a separate Past Performance Reference Form for each CEC agreement (e.g., contract, grant, or loan) received by the Applicant in the last ten (10) years, including ongoing agreements, and the five (5) most recent agreements with other public agencies within the past ten (10) years.

1. **Operation and Maintenance Plan**

Applicants must submit an Operation and Maintenance Plan which details their strategy to operate and maintain the charging equipment at each charging station for at least five years after commissioning. The Applicant must propose a plan to demonstrate that each charging port will have an average annual uptime of greater than 97%. The plan should address, but is not limited to:

* Strategies to physically secure the site and limit or prevent tampering with or damage to the charging stations,
* Strategies and timelines for preventative maintenance and/or field testing of the equipment,
* Strategies and timelines for diverse types of repairs to maximize uptime,
* Demonstrates the availability of replacement parts,
* Demonstrates established or planned partnerships/service level contracts with local qualified technicians,
* Warranties and/or extended warranties,
* Various customer service resources, and
* Site host training and responsibilities.

The Operation and Maintenance Plan must address who will be responsible for ensuring the maintenance of the charging station pedestals, and all ancillary equipment, including but not limited to any awnings, canopies, shelters, restrooms, and information display kiosks or signage associated with the charging station. “Maintain,” as used in this solicitation means “to provide all needed repairs or desired and approved alteration, as well as to clean the equipment and keep it safe and presentable.”

The Operation and Maintenance Plan must explain how the customer service project requirements will be met (see Section II.B.18). The plan must also identify who will be responsible for payment of all operating costs, including but not limited to payment of leases, rents, royalties, licenses, fees, taxes, revenue sharing, utilities, and electric power supply for the charging equipment and supporting elements, such as area lighting.

1. **Preliminary Signage Plan**

The Applicant must propose a Preliminary Signage Plan for installing both onsite and trailblazer signage. The plan will be evaluated in the Charging Station Design scoring criterion, Section IV.E.1. The plan should include but is not limited to:

* + Which jurisdiction(s) and/or agency(ies) the Applicant must coordinate with to deploy the trailblazer signage for each charging station,
  + Trailblazer signage that clearly identifies the route from the freeway to the station(s),
  + Signage that clearly identifies the charging site location to an approaching driver from any ingress,
  + Signage that identifies parking is for EVs only,
  + Signage that states non-EVs may be towed,
  + Signage that informs drivers of price per unit of measure (this may be communicated via the charger’s display screen),
  + Signage required for EV driver accessibility, and
  + Any additional signage that may be required by federal, state, or local laws, regulations, and ordinances.

Applicants that are proposed for awards and execute grant agreements must try to deploy the trailblazer signage, but actual installations will not be required; however, a Final Signage Plan must be shared with each jurisdiction and/or agency included in the plan.

A charging station must comply with the state’s policies, procedures, and project-related rules concerning signage, including but not limited to, signage that touches or concerns the EV charging station; nearby interpretive signage; directional signage; use of logos; and advertising at the charging station.

1. **Utility Verification Form (Attachment 10)**

The Applicant must complete a Utility Verification Form for each proposed charging station for both new and existing (if applicable) charging stations. These forms will be used to evaluate the level of readiness for each proposed charging station. Applicants should contact each utility company associated with the proposed charging stations as soon as possible to understand their timelines required to complete this verification form.

1. **National Environmental Policy Act (NEPA) Preliminary Environmental Study (PES) Form (Attachment 11)**

Applicants should complete one NEPA PES form per application that covers each proposed charging station. The NEPA PES form should be completed in as much detail as possible. This worksheet will help Applicants, the CEC, and Caltrans determine NEPA compliance obligations by identifying which projects may require more extensive NEPA review.

The form will be used to help evaluate the Project Readiness evaluation criteria in this solicitation (see Section IV.E.2). Applications that are proposed for awards and become formal grant agreements will be required to complete the full NEPA PES form and submission process during the term of their executed agreement.

Applicants should review [Exhibit 6-B: Instructions for Completing the Preliminary Environmental Study (PES) Form](https://dot.ca.gov/-/media/dot-media/programs/local-assistance/documents/lapm/c06/06b.pdf) found at https://dot.ca.gov/-/media/dot-media/programs/local-assistance/documents/lapm/c06/06b.pdf to complete the designated sections.

The designated sections of the NEPA PES Form that Applicants must complete are as follows:

* Page 1
  + Under “Project Description as Shown in RTP and FSTIP,” enter the Project Title that the Applicant has entered into ECAMS.
  + Check the appropriate boxes under Preliminary Design Information.
* Pages 2 – 9
  + Check the appropriate boxes for parts A. Potential Environmental Effects, B. Required Technical Studies and Analyses, C. Coordination, D. Anticipated Actions/Permits/Approvals, E. Preliminary Environmental Document Classification (NEPA), and F. Public Availability and Public Hearing.
* Pages 11-12
  + Explanations for any items in Part A are at Applicants’ discretion. Applicants may use this area of the form to clarify answers or to provide assumptions or rationale for answers as each Applicant sees fit. Explaining all items as described in Exhibit 6-B is not required.

Reservation of right to cancel proposed award: In addition to any other right reserved to it under this solicitation or that it otherwise has, if the CEC determines, in its sole and absolute discretion, that the NEPA review associated with a proposed project would not likely be completed prior to the encumbrance deadline referenced above, and that the Commission’s ability to meet its encumbrance deadline or any other NEVI-related deadline may thereby be jeopardized, the CEC may cancel a proposed award and award funds to the next highest scoring applicant, regardless of the originally proposed applicant’s diligence in submitting information and materials for NEPA review.

# IV. Evaluation Process and Criteria

## Application Evaluation

Applications will be evaluated and scored based on the responses to the information requested in this solicitation and on any other information available such as past performance of CEC agreements.[[4]](#footnote-5) The entire evaluation process from receipt of applications to posting of the Notice of Proposed Award is confidential.

To evaluate all applications, CEC will organize an Evaluation Committee. The Evaluation Committee may consist of CEC staff and staff of other California state entities.

* 1. **Screening Criteria**

The Contracts, Grants and Loans Office will screen applications for compliance with the Administrative Screening Criteria. The Evaluation Committee will screen applications for compliance with the Technical Screening criteria. Applications that fail any of the Administrative or Technical Screening Criteria shall be disqualified and eliminated from further evaluation.

* 1. **Administrative Screening Criteria**

| **ADMINISTRATIVE Screening Criteria**  *The Application must pass ALL administrative screening criteria.* | **Pass/Fail** |
| --- | --- |
| 1. The application is received by the due date and time specified in the “Key Activities Schedule” in Section I of this solicitation. | Pass  Fail |
| 1. The Applicant has not included a statement that is contrary to the required authorizations and certifications when submitting in ECAMS. | Pass  Fail |

* 1. **Technical Screening Criteria**
  2. The Applicant is an eligible applicant.
  3. The Applicant submitted a Project Narrative.
  4. The project is an eligible project.
  5. The Applicant submitted a Budget.
  6. The Applicant submitted a Scope of Work.
  7. The Applicant submitted an Operations and Maintenance Plan.
  8. The project meets the minimum match share requirements.
  9. The Applicant passes the past performance screening criterion.
  10. **Applicant’s Past Performance Screening Criterion (Pass/Fail)**

An Applicant may be disqualified under this solicitation due to severe performance issues under one or more prior or active CEC agreement(s) within the last 10 years. An Applicant is defined as at least one of the following: the business, principal investigator, or lead individual acting on behalf of themselves—received funds from the CEC (e.g., contract, grant, or loan) and entered into an agreement(s) with the CEC. Any Applicant that does not have an active or prior agreement equates to no severe performance issues and therefore would pass this screening criteria, but must still submit a Past Performance Reference Form and note that they have none.

Severe performance issuesare characterized by significant negative outcomes under an agreement and may include:

* + Agreement was terminated with cause.
  + CEC filed litigation against the Applicant.
  + Severe audit findings are not resolved to CEC’s satisfaction. Severe audit findings may include but not limited to: incomplete or unsatisfactory deliverables; grant funds used inappropriately (i.e., other than as represented); or questioned costs.
  + Project objectives were not met and were caused by factors that are, or should have been, within the Applicant’s control.
  + Significant delays in project completion resulting in delayed benefits for California. Project completion delays of one year or more from the originally proposed project schedule and caused by factors within the Applicant’s control may be considered significant.
  + Deliverables were not submitted to the CEC or were of poor quality. For example, Applicant delivered poorly written reports that required significant rework by staff prior to acceptance or publication.
  + Demonstrated and documented poor or delayed communication when significant issues or setbacks were experienced that materially and negatively impacted the project. For example, delays in informing the CEC when the Recipient experiences loss of a key project partner or site control may be considered significant.
  1. **Grounds to Reject an Application or Cancel an Award**

In addition to the Screening Criteria identified within this solicitation, CEC reserves the right to reject an application and/or cancel an award for reasons including, but not limited to the following:

1. The application contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Applicant.
2. The application is intended to erroneously and fallaciously mislead the State in its evaluation of the application and the attribute, condition, or capability is a requirement of this solicitation.
3. The application does not comply or contains caveats that conflict with the solicitation and the variation or deviation is material, or it is otherwise non-responsive.
   1. **Technical Evaluation**

Applications passing all screening criteria will be submitted to the Evaluation Committee to review and score based on the Evaluation Criteria in this solicitation.

The Evaluation Committee reserves the right to schedule a clarification interview with an Applicant to clarify and/or verify information submitted in the application. However, these interviews may not be used to change or add to the contents of the original application. Applicants will not be reimbursed for time spent answering clarifying questions.

The total score for each application will be the average of the combined scores of all Evaluation Committee members. A minimum score of 70% is required for the application to be eligible for funding.

CEC will recommend awards to the highest ranked projects (according to final overall application score) until available funding under this solicitation has been exhausted.

## Notice of Proposed Awards

The results of the evaluation will be posted in a Notice of Proposed Awards (NOPA) and will include (1) the total proposed funding amount; (2) the rank order of Applicants; and (3) the amount of each proposed award. CEC will publish the NOPA on the CEC’s website.

## Debriefings

Applicants that are not proposed for funding may request a debriefing after the release of the NOPA by emailing the CAO listed in Part I. A request for debriefing should be received no later than 15 calendar days after the NOPA is released.

## Scoring Scale

Using this Scoring Scale, the Evaluation Committee will give a score for each criterion described in the Evaluation Criteria.

| **% of Possible Points** | **Interpretation** | **Explanation for Percentage Points** |
| --- | --- | --- |
| 0% | Not Responsive | Response does not include or fails to address the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable. |
| 10-30% | Minimally Responsive | Response minimally addresses the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable. |
| 40-60% | Inadequate | Response addresses the requirements being scored, but there are one or more omissions, flaws, or defects or the requirements are addressed in such a limited way that it results in a low degree of confidence in the proposed solution. |
| 70% | Adequate | Response adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable. |
| 75% | Between Adequate and Good | Response better than adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable. |
| 80% | Good | Response fully addresses the requirements being scored with a good degree of confidence in the Applicant’s response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable. |
| 85% | Between Good and Excellent | Response fully addresses the requirements being scored with a better than good degree of confidence in the Applicant’s response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable. |
| 90% | Excellent | Response fully addresses the requirements being scored with a high degree of confidence in the Applicant’s response or proposed solution. Applicant offers one or more enhancing features, methods or approaches exceeding basic expectations. |
| 95% | Between Excellent and Exceptional | Response fully addresses the requirements being scored with a better than excellent degree of confidence in the Applicant’s response or proposed solution. Applicant offers one or more enhancing features, methods or approaches exceeding basic expectations. |
| 100% | Exceptional | All requirements are addressed with the highest degree of confidence in the Applicant’s response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution. |

## Evaluation Criteria

|  |  |
| --- | --- |
| **Criterion** | **Possible Points** |
| **Charging Station Design**  Applications will be evaluated on the degree to which an Applicant:   * Lists the proposed DC fast charging station locations, including addresses, if known. Provides a clear, concise, and compelling justification for the specific proposed station location(s). Details if each proposed station is a new or existing location. Does not use “up to” for numbers of charging stations; uses exact numbers or “at least.” * Defines the maximum distance between NEVI-compliant charging station locations, existing and/or proposed by this application. States the maximum distance between any proposed station location and the end of the off-ramp, or highway, if there is no off-ramp. Shows that the proposed project will comply with the project eligibility criteria in Section II.B.2. * Provides a preliminary site design for each charging station and discusses the attributes of the site designs. * Describes how the charging ports at each charging station will be capable of simultaneously supplying vehicles with 150 kW if requested. Identifies the grid connection supply and any other systems such as BESS and photovoltaic panels that will be used to help supply and manage power at each charging station. * Describes how the proposed charging stations are easily accessible via a route that can safely and conveniently accommodate EVs entering and leaving the facility, returning to the interstate highway, and continuing in the original direction of travel. * Identifies the make, model, quantity, and power levels of the DC fast chargers along with the number of charging ports and connector types that will be deployed at each charging station. * Describes how the proposed charging stations are customer-friendly, easy to use, aesthetically pleasing, secure, and accessible to all EV drivers. * Describes the restroom facility accessible by customers of the proposed charging stations, including hours of operation and any access restrictions, and demonstrates that it is ADA accessible and within easy walking distance of the charging station. * Describes how the proposed charging stations always provide adequate lighting and shelter from inclement weather, through structures associated with the charging site or in proximity to the charging site, and how it is easily and safely accessible when traveling on foot or with any mobility device. * Describes any other features of the charging station including driver amenities, or location near other facilities such as retail shops, restaurants, parks, pet relief areas, or others relevant to the experience of charging station customers. * Describes any features of station design that provide or improve access and customer experience for drivers of vehicles towing trailers, or drivers of medium-duty vehicles (Class 2b – Class 6). * Details the Preliminary Signage Plan, addressing each of the specific items listed in Section III.D.12. | 50 |
| **Project Readiness**  Applications will be evaluated on the degree to which an Applicant:   * Documents site control or access rights to the proposed charging stations or building facilities. Documentation may include, but is not limited to: leases, ownership, or access rights. If site control is not secured at the time of application, the application explains how site control will be obtained and the anticipated timeline to secure the project site. * Identifies the entity(ies) that will own and operate the proposed charging sites and equipment and detail their experience with operating DC fast charger charging stations. * Describes how the proposed charging stations support the local region’s plans for EV charging and how local planning logistics were applied in selecting the charging site location(s). (If applicable) * Provides a comprehensive list of permits required for the project as well as the permitting agencies the project will need to coordinate with. Identifies which, if any sites, will require permits from Caltrans. Identifies which permits have been obtained or the anticipated timelines to obtain the permits. * Describes how the proposed project will be completed in an expeditious, effective, and efficient manner. * Describe how the project’s proposed schedule has accounted for CEQA, NEPA, and right-of-way approvals and the estimated timelines are justified given the information provided in the CEQA Worksheet (Attachment 6), the NEPA PES Form (Attachment 11), and right-of-way research. * Documents communication with the utility provider for each charging station by completing a Utility Verification Form (Attachment 10) for each charging station. * Documents any communications with the manufacturer(s) that identifies the estimated timeline to deliver the equipment. This includes chargers, switchgear, BESS, and any other equipment being proposed to install.   In the case that a charging station location must be changed, the application describes the process by which a new site will be selected and evaluated to assure it meets or exceeds the original site characteristics. Describes the likely time duration of any process to change a site and propose the change to the CEC. | 40 |
| **Operations and Maintenance**  Applications will be evaluated on the degree to which an Applicant’s Operation and Maintenance plan details:   * How each charging port will have an average annual uptime of greater than 97%. * Strategies to physically secure the site and limit or prevent tampering with or damage to the charging stations. * Strategies and timelines for preventative maintenance and/or field testing of the equipment. * Strategies and timelines for diverse types of repairs to maximize uptime. * The availability of replacement parts. * Established or planned partnerships/service level contracts with locally qualified technicians. * Warranties and/or extended warranties. * Various customer service resources. * Site host training and responsibilities. * The Applicant’s plan to continue the proposed project beyond the agreement term and minimum five-year data reporting period. * Who will be responsible for maintaining the charging stations, including all the charging equipment, auxiliary equipment, lighting, and restrooms. | 30 |
| **Team Experience and Qualifications**  Applications will be evaluated on the degree to which an Applicant:   * Explains how the project team’s qualifications (including relevant expertise, experience, and skill sets) are suitable to the tasks described in the proposed Scope of Work. * Details the Applicant’s experience with federally funded projects and/or explains how the Applicant plans to meet and document compliance with all the federal requirements. * Identifies, by name, all key personnel assigned to the project, including the project manager, and clearly describes their individual areas of responsibility. * Explains how the Applicant or lead installation Subrecipient(s) from their proposed project team meet(s) the Experienced Contractor definition. * Explains how the Applicant’s selected charging station network provider has demonstrated experience or the capability to keep the charging stations in service for at least the entire five-year in-service requirement with plans to keep the stations in service beyond the term of the agreement. * Identifies which installation contractors have EVITP certified electricians, or details the plan to comply with the EVITP labor requirement. * Explains how the Applicant can meet deadlines and complete milestones associated with large, complex projects, including examples of previously successful complex projects. * Provides a list of past projects detailing relevant technical and business experience. * Details projects on their Past Performance forms, if applicable, and the projects’ outcomes. Feedback from the project(s)’ funding agency contact may also be included in the evaluation. | 20 |
| **Expected Project Benefits**  Applications will be evaluated on the degree to which an Applicant:   * Details and documents each charging station’s disadvantaged community percentile, whether it is in a low-income community, if it is in a tribal community, and whether it is in an Environmental Justice40 community. * Describes how charging stations not located within disadvantaged, low-income, tribal community, or Environmental Justice40 communities may still provide a benefit to those communities. * Describes how the project will benefit disadvantaged community, low-income community, tribal, and/or Environmental Justice40 residents and communities, including emission reduction, public health, economic, and cost-saving benefits. * Discusses methods to reduce or minimize the charging cost to drivers. Documents their assumptions. * Discusses methods, if any, to further reduce or minimize the cost of charging to disadvantaged community, low-income community, tribal, and/or Environmental Justice40 residents. Documents their assumptions. * Calculates and documents the benefit-cost score defined as the ratio of grams of CO2 equivalent reduction per dollar of NEVI investment for the five-year operations requirement. | 10 |
| **Innovation and Sustainability**  Applications will be evaluated on the degree to which an Applicant:   * Describes the extent to which the proposed charging ports exceed the minimum required 150 kW charging rate. * Describes methods, if any, the proposed project will use to reduce any utility demand charges, offset on-peak electricity usage (including demand charge reductions), or mitigate other adverse grid impacts. Examples include, but are not limited to, battery storage, use of renewable distributed energy resources, and energy management systems. * Describes methods, if any, to facilitate driver charging sessions (such as a reservation or queuing system, facilitator, or valet service). * Describes how the project includes innovations or advanced features, if any, including (but not limited to) renewable energy generation and integration, mitigating on-peak electricity demand, multi-use potential, innovative business models, reducing equipment or installation costs, and reduced operation and maintenance costs. * Describes the proposed business model(s), if any, for the first five (5) years of operation including partnerships, sponsorships, advertising, or other revenue generation and cost mitigation. | 10 |
| **Project Budget and Finances**  Applications will be evaluated on the degree to which an Applicant:   * Describes how the proposed project’s budget is cost effective and reasonable relative to the Scope of Work. * Describes how the amount of requested NEVI funding is reasonable relative to the expected benefits to California. * Describes how the budget optimizes the balance between charger reliability and costs. * Calculates the total charging port kilowatts (kW) the application proposes to install and compares it to the total NEVI funding the application is requesting to determine a public dollar per deployed kW cost share. * Describes how the proposed project plans to meet **or exceed** California’s goal **of 25% small business participation** [~~that 25% of the NEVI funding be spent on contractors from small businesses~~] **per AB 2974 (Committee on Jobs, Economic Development, and the Economy, Chapter 600, Statutes of 2022)**. * Provides the amount of Match Funds (cash and/or in-kind) and provides verification and documentation of the source and availability. If match funding is from a third party, the applicant provides a letter of commitment. Provides details (name and business location, type of entity, amount, etc.) for each match share funding partner. * Describes how administration and overhead expenditures are minimized. * Presents credible strategies in securing additional capital, as needed, to ensure project success and the continued operations and maintenance of the project beyond the funding agreement. * Describes how the proposed project will use income or revenue earned from the operation of the EV charging stations in compliance with the NEVI requirements. | 20 |
| **Cost**  The score for this criterion will be derived from the mathematical cost formula set forth below under section IV.F **Cost Criteria**. | 20 |
| **Total Possible Points** | 200 |
| **Minimum Passing Score (70%)** | **140** |

### 

## Cost Criteria

Cost criteria will be based on total budget, excluding any match share. Applications will have their Cost Criteria scored using the following formula:

Points awarded = (max points for cost criteria) X (1 – (proposed NEVI Reimbursable Funding / max NEVI Award) X 0.4)

The proposed NEVI Reimbursable Funding represents the amount of funding the Applicant is requesting. The match funding listed in the budget is not included in the NEVI Reimbursable Funding.

The max NEVI Award represents the maximum amount of funding that a Corridor Group is eligible to receive. These amounts are detailed in Table 1 under Section I.F.

### Example 1: Corridor Group 19 has a max NEVI Award of $3,000,000. An Applicant proposes a budget of $2,500,000 in NEVI Reimbursable Funding.

### Points awarded = (20) X (1 – (2,500,000/3,000,000) X 0.4)

### Points awarded = (20) X (1 – (0.83) X 0.4)

### Points awarded = (20) X (1 – 0.33)

### Points awarded = (20) X (0.67)

### Points awarded = 13.4

### Example 2: Corridor Group 19 has a max NEVI Award of $3,000,000. An Applicant proposes a budget of $3,000,000 in NEVI Reimbursable Funding.

### Points awarded = (20) X (1 – (3,000,000/3,000,000) X 0.4)

### Points awarded = (20) X (1 – (1) X 0.4)

### Points awarded = (20) X (1 – 0.4)

### Points awarded = (20) X (0.60)

### Points awarded = 12

## Tie Breakers

If the score for two or more applications is tied, the application with a higher score in the Cost criterion will be ranked higher. If still tied, the application with a higher score in the Readiness criterion will be ranked higher. If still tied, an objective tiebreaker (such as a random drawing) will be utilized.

# 

# V. Administration

## Definition of Key Words

Important definitions for this solicitation are presented below:

| **Word/Term** | **Definition** |
| --- | --- |
| Applicant | Respondent to this solicitation |
| Application | Formal written response to this document from applicant |
| **Application Programming Interface (API)** | **A type of software interface that offers service to other pieces of software. An API allows two or more computer programs to communicate with each other.** |
| BESS | Battery Energy Storage System |
| California-Designated Disadvantaged Community | California Environmental Protectional Agency (CalEPA) identifies four types of geographic areas as disadvantaged: (1) census tracts receiving the highest 25% of overall scores in CalEnviroScreen 4.0; (2) census tracts lacking overall scores in CalEnviroScreen 4.0 due to data gaps, but receiving the highest 5% of CalEnviroScreen 4.0 cumulative pollution burden scores; (3) census tracts identified in the 2017 DAC designation as disadvantaged, regardless of their scores in CalEnviroScreen 4.0; (4) and areas under the control of federally recognized Tribes. |
| Caltrans | California Department of Transportation |
| CAM | Commission Agreement Manager |
| CAO | Commission Agreement Officer |
| **CCS** | **Combined Charging System** |
| CEC | California Energy Commission |
| **CEQA** | **California Environmental Quality Act** |
| CHAdeMO | A charging port standard for fast charging of electric vehicles |
| Charger | **A device with one or more charging ports and connectors for charging EVs. Also referred to as electric vehicle supply equipment (EVSE).**  [~~One component of the larger charging station which drivers will interact with. The charger is where the charging connectors are located and may include a display screen and the payment interface.~~] |
| **Charging Network** | **A collection of chargers located on one or more property(ies) that are connected via digital communications to manage the facilitation of payment, the facilitation of electrical charging, and any related data requests.** |
| **Charging Network Provider** | **The entity that operates the digital communication network that remotely manages the chargers. Charging network providers may also serve as charging station operators and/or manufacture chargers.** |
| Charging Port | The system within a charger that charges one EV. A charging port may have multiple connectors, but it can only provide power to charge only one EV through one connector at a time. |
| **Charging Session** | **The period after a charge attempt during which the electric vehicle is allowed to request energy. Charging sessions can be terminated by the customer, the electric vehicle, the charger, the charging station operator, or the charging network provider.** |
| Charging Station | The area in the immediate vicinity of a group of chargers and includes the chargers, supporting equipment, parking areas adjacent to the chargers, and lanes for vehicle ingress and egress. A charging station could comprise only part of the property on which it is located. |
| Combined Charging System (CCS) | A charging port standard for fast charging of electric vehicles that can provide up to 350 kilowatts of power. |
| Connector | The device that attaches an EV to a charging port to transfer electricity. |
| Corridor Group | A group of one or more corridor segments |
| Corridor Segment | A portion of a highway corridor |
| Direct Current (DC) Fast Charger | Equipment that provides charging through a direct-current plug, typically at a rate of 50 kilowatts or higher. |
| E-76 Form | Federal-aid program form titled Authorization to Proceed. It provides federal authorization to begin reimbursement work for a specific phase of work. |
| Electric Vehicle (EV) | A motor vehicle that is either partially or fully powered on electric power received from an external power source. |
| **Electric Vehicle Supply Equipment (EVSE)** | **A “charger” as defined.** |
| EVITP | Electric Vehicle Infrastructure Training Program |
| Experienced Contractor | A company or organization with a proven record of accomplishment of overseeing the procurement, permitting, and installation of at least 20 DC fast chargers and completed at least three or more different property locations for three or more different customers since January 1, 2018. |
| **FHWA** | **Federal Highway Administration** |
| GAAP | Generally Accepted Accounting Principles |
| **Hardware** | **The machines, wiring, and other physical components of an electronic system including onboard computers and controllers.** |
| **Installed** | **Attached or placed at a location and available for use for a charging session. The date a charger is installed is the date it is first available for use for a charging session.** |
| Justice40 Communities | U.S. Department of Transportation and U.S. Department of Energy’s interim definition of disadvantaged communities for NEVI. The communities highlight energy and transportation-burdened communities, communities facing high rates of environmental pollution, those whose economies are highly dependent on fossil energy sources, and those with high social vulnerability. Federally recognized Tribal Nations and U.S. Territories are included in the definition. |
| **kW** | **Kilowatt** |
| Level 1 Charging | Electric vehicle charging at 110/120 volts |
| Level 2 Charging | Electric vehicle charging at 208/240 volts |
| Low-income Community | Census tracts with median household incomes at or below 80% of the statewide median income or with median household incomes at or below the threshold designated as low income by the Department of Housing and Community Development’s list of state income limits adopted under Section 50093. |
| **Maintenance** | **Any instance in which preventive or corrective maintenance is carried out on equipment.** |
| **NEPA** | **National Environmental Policy Act** |
| **Networked** | **A charger that can receive or send commands or messages remotely from or to a charging network provider or is otherwise connected to a central management system, such as by using OCPP 2.0.1, for the purposes of charger management and data reporting.** |
| NEVI Formula Program | National Electric Vehicle Infrastructure Formula Program |
| **Open Charge Point Protocol (OCPP)** | **An open-source communication protocol that governs the communication between chargers and the charging networks that remotely manage the chargers.** |
| **Operational** | **A charging port’s hardware and software are both online and available to use, or in use, and the charging port is capable of successfully dispensing electricity.** |
| **Recipient** | **An applicant awarded a grant under a CEC solicitation** |
| **Small Business** | **Please refer to California Government Code §14837 (d)(1)(A)-(B).**  **“Small business” means an independently owned and operated business that is not dominant in its field of operation, the principal office of which is located in California, the officers of which are domiciled in California, and which, together with affiliates, has 100 or fewer employees, and average annual gross receipts of $15 million dollars or less over the previous three years, or is a manufacturer, as defined in subdivision (c), with 100 or fewer employees.**  **For the purposes of public works contracts, as defined in Section 1101 of the Public Contract Code, and engineering contracts, as described in Section 4525, for public works projects, awarded through competitive bids or otherwise, “small business” means an independently owned and operated business that is not dominant in its field of operation, the principal office of which is located in California, the officers of which are domiciled in California, and which, together with affiliates, has 200 or fewer employees, and average annual gross receipts of $36 million dollars or less over the previous three years.** |
| **Software** | **A set of instructions, data, or programs used to operate computers and execute specific tasks.** |
| Solicitation | Grant Funding Opportunity, which refers to this entire solicitation document and all its attachments and exhibits |
| State | State of California |
| Subrecipient | A Subrecipient is defined as a person or entity that receives grant funds directly from the Recipient and is entrusted by the Recipient to make decisions about how to conduct some of the grant’s activities. A Subrecipient’s role involves discretion over grant activities and is not merely just selling goods or services. |
| Tribal Communities | A group of people living within reservation or allotment boundaries, living on land that otherwise falls under the ownership or jurisdiction of a California Native American Tribe, or that is served by a California Native American tribe or other California Tribal Organization, regardless of whether or not those people are tribal members of one or another tribe or are not tribal members. |
| **Uptime** | **The time that a charging port is online and available for use per the formula in this Application Manual in Section II.B.16.** |

## Cost of Developing Application

The Applicant is responsible for the cost of developing an application, and this cost cannot be charged to the State.

## Confidential Information

CEC will not accept or retain any applications that have any portion marked confidential.

## Solicitation Cancellation and Amendments

It is CEC’s policy to not solicit applications unless there is a bona fide intention to award an agreement. However, if it is in the State’s best interest, CEC reserves the right, in addition to any other rights it has, to do any of the following:

* Cancel this solicitation;
* Revise the amount of funds available under this solicitation;
* Amend this solicitation as needed; and/or
* Reject any or all applications received in response to this solicitation.

If the solicitation is amended, CEC will post an addendum on [CEC’s solicitation information website](https://www.energy.ca.gov/funding-opportunities/solicitations) at https://www.energy.ca.gov/funding-opportunities/solicitations.

## Errors

If an Applicant discovers any ambiguity, conflict, discrepancy, omission, or other error in the solicitation at any time prior to 5:00 p.m. of the application deadline date, the Applicant should immediately notify CEC of the error in writing and request modification or clarification of the solicitation. The CEC will provide modifications or clarifications by written notice to all entities that requested the solicitation, without divulging the source of the request for clarification. CEC shall not be responsible for failure to correct errors.

## Modifying or Recalling an Application

An Applicant may recall or modify a submitted application within ECAMS before the deadline to submit applications. Applications cannot be changed after that date and time. An application cannot be “timed” to expire on a specific date. For example, a statement such as the following is non-responsive to the solicitation: “This application and the cost estimate are valid for 60 days.”

## Immaterial Defect

CEC may waive any immaterial defect or deviation contained in an Applicant’s application. CEC’s waiver shall in no way modify the application or excuse an Applicant proposed for funding from full compliance with solicitation requirements.

## Disposition of Applicant’s Documents

The entire evaluation process from receipt of applications up to the posting of the Notice of Proposed Award is confidential. On the Notice of Proposed Award posting date, or date of solicitation cancellation, all applications and related material submitted in response to this solicitation become a part of the property of the State and public record.

## Applicants’ Admonishment

This solicitation contains the instructions governing the requirements for a firm quotation to be submitted by interested Applicants, the format in which the technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and Applicant responsibilities. Applicants are responsible for carefully reading the entire solicitation, asking appropriate questions in a timely manner, submitting all required responses in a complete manner by the required date and time, and making sure that all procedures and requirements of the solicitation are followed and appropriately addressed.

## Agreement Requirements

The content of this solicitation shall be incorporated by reference into the final agreement. See the sample agreement terms and conditions included in this solicitation.

CEC reserves the right to negotiate with Applicants to modify the project scope, the level of funding, or both. If CEC is unable to successfully negotiate and execute a funding agreement with an Applicant, CEC, at its sole discretion, reserves the right to cancel the pending award and fund the next highest ranked eligible project.

CEC must formally approve all proposed grant awards. Agreements will be scheduled and considered at a CEC Business Meeting for approval by the CEC.

CEC will send the approved agreement, including the terms and conditions and any additional terms and conditions, to the grant Recipient for review, approval, and signature. Once the grant Recipient signs, CEC will fully execute the agreement. Recipients are approved to begin the project only after full execution of the agreement, including any authorizations needed from the Federal Highway Administration.

## No Agreement Until Signed and Approved

No agreement between CEC and an Applicant is in effect until the agreement is approved at a CEC Business Meeting, and signed by both the grant Recipient and the CEC.

CEC reserves the right to modify the award documents prior to executing the agreement.

## Executive Order N-6-22 – Russia Sanctions

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and  
individuals. “Economic Sanctions” refers to sanctions imposed by the U.S.  
government in response to Russia’s actions in Ukraine, as well as any sanctions  
imposed under state law. By submitting a bid or proposal, Applicant represents  
that it is not a target of Economic Sanctions. Should the State determine  
Applicant is a target of Economic Sanctions or is conducting prohibited  
transactions with sanctioned individuals or entities, that shall be grounds for  
rejection of the Applicant’s bid/proposal any time prior to agreement execution, or, if determined after agreement execution, shall be grounds for termination by the State.

1. (FACT SHEET: Biden-Harris Administration Announces New Standards and Major Progress for a Made-in-America National Network of Electric Vehicle Chargers, 2023) https://www.whitehouse.gov/briefing-room/statements-releases/2023/02/15/fact-sheet-biden-harris-administration-announces-new-standards-and-major-progress-for-a-made-in-america-national-network-of-electric-vehicle-chargers/. [↑](#footnote-ref-2)
2. Caltrans. [California Manual on Uniform Traffic Control Devices](https://dot.ca.gov/programs/safety-programs/camutcd). https://dot.ca.gov/programs/safety-programs/camutcd. [↑](#footnote-ref-3)
3. A directional sign displayed, usually with an arrow panel, off the freeway system to advise motorists where to turn en route to a destination. [↑](#footnote-ref-4)
4. The Past Performance Evaluation is available on the CEC website at: <https://www.energy.ca.gov/media/6595>. [↑](#footnote-ref-5)