**GRANT FUNDING OPPORTUNITY**

**Clean Transportation Program**

**Tribal Electric Vehicle Infrastructure, Planning, and Workforce Training and Development**



GFO-23-607 [~~Addendum 1~~] **Addendum 3**

[Solicitation Information](http://www.energy.ca.gov/contracts/index.html)

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

State of California

California Energy Commission

[~~March~~] **April** 2024

**Table of Contents**

[I. Introduction 1](#_Toc163566271)

[A. Purpose of Solicitation 1](#_Toc163566272)

[B. Background 1](#_Toc163566273)

[C. Commitment to Diversity 2](#_Toc163566274)

[D. CEC Engagement with California Native American Tribes 2](#_Toc163566275)

[E. Key Activities and Dates 2](#_Toc163566276)

[F. How Award Is Determined 3](#_Toc163566277)

[G. Availability of Funds 3](#_Toc163566278)

[H. Minimum and Maximum Award Amounts 3](#_Toc163566279)

[I. Maximum Number of Applications 3](#_Toc163566280)

[J. Pre-Application Workshop 3](#_Toc163566281)

[K. Participation Through Zoom 3](#_Toc163566282)

[L. Questions 4](#_Toc163566283)

[M. Contact Information 5](#_Toc163566284)

[N. Reference Documents 5](#_Toc163566285)

[II. Eligibility Requirements 6](#_Toc163566286)

[A. Applicant Requirements 6](#_Toc163566287)

[B. Project Requirements 8](#_Toc163566288)

[C. Match Funding Requirements 13](#_Toc163566289)

[D. Unallowable Costs (Reimbursable or Match Share) 15](#_Toc163566290)

[III. Application Format, Required Documents, and Delivery 17](#_Toc163566291)

[A. Required Format for an Application 17](#_Toc163566292)

[B. Method for Delivery 17](#_Toc163566293)

[C. Project Narrative Page Limitations 18](#_Toc163566294)

[D. Application Content 18](#_Toc163566295)

[IV. Evaluation and Award Process 26](#_Toc163566296)

[A. Application Evaluation 26](#_Toc163566297)

[B. Notice of Proposed Awards 28](#_Toc163566298)

[C. Debriefings 28](#_Toc163566299)

[D. Scoring Scale 28](#_Toc163566300)

[E. Evaluation Criteria 30](#_Toc163566301)

[F. Tie Breakers 31](#_Toc163566302)

[V. Administration 32](#_Toc163566303)

[A. Definition of Key Words 32](#_Toc163566304)

[B. Cost of Developing Application 35](#_Toc163566305)

[C. Confidential Information 35](#_Toc163566306)

[D. Solicitation Cancellation and Amendments 36](#_Toc163566307)

[E. Errors 36](#_Toc163566308)

[F. Modifying or Recalling an Application 36](#_Toc163566309)

[G. Immaterial Defect 36](#_Toc163566310)

[H. Opportunity to Cure Administrative Errors 36](#_Toc163566311)

[I. Disposition of Applicant’s Documents 37](#_Toc163566312)

[J. Applicants’ Admonishment 37](#_Toc163566313)

[K. Agreement Requirements 38](#_Toc163566314)

[L. No Agreement Until Signed and Approved 38](#_Toc163566315)

[M. Executive Order N-6-22 – Russia Sanctions 38](#_Toc163566316)

|  |
| --- |
| Attachments |
| 12 | Scope of Work TemplateScope of Work Instructions |
| 3 | Schedule of Products and Due Dates |
| 4 | Budget Forms |
| 5 | Contact List |
| 6 | California Environmental Quality Act (CEQA)/Environmental Compliance Form |
| 7 | Localized Health Impacts Information |
| 8 | Past Performance Reference Form |
| 910 | Applicant DeclarationTribal Electric Vehicle Infrastructure, Planning, and Workforce Training and Development Terms and Conditions |
| 11 | Project Narrative Template |
| 12 | Resume Template |
| 13 | Letters of Support and Commitment Template |

The purpose of this addendum is to notify potential applicants the deadline to submit applications for GFO-23-607 has been extended from April 24, 2024 to May 24, 2024. The addendum includes the following revisions to the Solicitation Manual. Added language appears in **bold underline**, and deleted language appears in [strikethrough] and within square brackets.

# Introduction

## Purpose of Solicitation

This is a competitive grant solicitation. The California Energy Commission’s (CEC’s) Clean Transportation Program announces the availability of up to $10 million in grant funds for projects that will accelerate zero-emission vehicle (ZEV) adoption among California Native American tribes by funding electric vehicle (EV) infrastructure, EV infrastructure planning, and EV workforce training and development.

CEC recognizes that with adequate resources that foster tribal energy sovereignty and independence, California tribes are poised to be important partners in reaching the State’s climate goals while enhancing community resilience. The purpose of this solicitation is to provide funding for Tribes, Tribal Organizations, and Tribally-owned businesses for:

* **Project Activity 1 – EV Charging Infrastructure:** installing charging infrastructure for passenger and medium- and heavy-duty (MDHD) EV charging equipment, supporting infrastructure, and associated resiliency technologies.
* **Project Activity 2 – EV Infrastructure Planning:** activities to support tribal participation in future EV funding opportunities and to enable tribes to plan for EV adoption.
* **Project Activity 3 – EV Workforce Training and Development**: activities that support careers in EVs, EV infrastructure, and EV-related technologies.

## Background

Assembly Bill (AB) 118 (Núñez, Chapter 750, Statutes of 2007), created the Clean Transportation Program. The statute authorizes the CEC to develop and deploy alternative and renewable fuels and advanced transportation technologies to help attain the state’s climate change and clean air goals. AB 126 (Reyes, Chapter 319, Statutes of 2023) reauthorized the funding program through July 1, 2035 and focused the program on zero-emission transportation.

The Clean Transportation Program has an annual budget of approximately $100 million and provides financial support for projects that, among other goals:

* Develop and deploy zero-emission technology and fuels in the marketplace where feasible and near-zero-emission technology and fuels elsewhere.
* Produce alternative and renewable low-carbon fuels in California.
* Deploy zero-emission fuel infrastructure, fueling stations, and equipment where feasible and near-zero-emission fuel infrastructure, fueling stations, and equipment elsewhere.
* Establish workforce training programs and conduct public outreach on the benefits of alternative transportation fuels and vehicle technologies.

## Commitment to Diversity

The CEC is committed to ensuring that participation in its Clean Transportation Program reflects the rich and diverse characteristics of California and its people. To meet this commitment, CEC staff conducts outreach efforts and activities to:

* Ensure potential new applicants throughout the state are aware of CEC’s Clean Transportation Program and the funding opportunities the program provides.
* Encourage greater participation by underrepresented groups including disabled veteran-, women-, minority-, and LGBT-owned businesses.
* Assist applicants in understanding how to apply for funding from CEC’s Clean Transportation Program.

## CEC Engagement with California Native American Tribes

On March 2, 2023, the CEC approved a resolution recognizing and committing the agency to support California tribal energy sovereignty. The CEC shall seek to support California tribes by taking actions including working to increase tribal access to energy funding opportunities and working to increase tribal set-asides within State programs and funding opportunities.

This grant funding opportunity reflects input from sustained CEC outreach and cooperation with California Native America tribes, including two tribal listening sessions held on May 4, 2023, and July 18, 2023.

## 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 | January 18, 2024 |
| Pre-Application Workshop\*  | February 15, 2024 |
| Deadline for Written Questions\* **by 5:00 p.m.** | March 1, 2024 |
| Anticipated Distribution of Questions/Answers | Week of March 11, 2024 |
| Support for Application Submission in the Energy Commission Agreement Management System (ECAMS) until 5:00 p.m. | Ongoing until [~~Apri~~l] **May** 24, 2024 |
| **Deadline to Submit Applications by 11:59 p.m.\*** | [~~April~~] **May** 24, 2024 |
| Anticipated Notice of Proposed Awards Posting  | [~~July~~] **August** 2024 |
| Anticipated CEC Business Meeting  | Q3 2024 |

## How Award Is Determined

Applicants are asked to submit a single application for one or more of the project activities listed below.

* Project Activity 1 – EV Charging Infrastructure, or
* Project Activity 2 – EV Infrastructure Planning, or
* Project Activity 3 – EV Workforce Training and Development.

Applicants passing administrative and technical screening criteria 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 at least the minimum passing score will be recommended for funding in ranked order until all funds available 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 Commission Agreement Manager (CAM) shall 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 $10 million 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.

## Minimum and Maximum Award Amounts

The minimum CEC award amount is $400,000. The maximum CEC award amount is 100% of the total project costs or $3,000,000, whichever is less.

## Maximum Number of Applications

Applicants are only eligible to submit one application under this solicitation.

## 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 at the date, time and location listed below. Please call the Commission Agreement Officer (CAO) listed 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.

**February 15, 2024**

9:00 am - 11:00 am

Via Zoom

## 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 and posted to the CEC’s website.

**Zoom Instructions:**
To join this workshop, go to Zoom at: <https://energy.zoom.us/j/81105772031?pwd=MlJsQnZIZXZZNkVnZEZTbmxnMTZJdz09> . 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:** 11 0577 2031

**Meeting Password:** 553156

**Topic:** Pre-Application Workshop - GFO-23-607 - Tribal Electric Vehicle Infrastructure, Planning, and Workforce Training and Development

**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, 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 e-mail 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 the 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.

The question and answer set will be posted on the [CEC’s solicitation information website](http://www.energy.ca.gov/contracts/index.html) at [www.energy.ca.gov/funding-opportunities/solicitations](http://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

Eilene Cary, Commission Agreement Officer

California Energy Commission

715 P Street, MS-18

Sacramento, CA 95814

Telephone: (916) 776-0739

E-mail: Insert Eilene.Cary@energy.ca.gov

## Reference Documents

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

* [2023–2024 Investment Plan Update for the Clean Transportation Program](https://www.energy.ca.gov/publications/2023/2023-2024-investment-plan-update-clean-transportation-program) (CEC-600-2023-029) https://www.energy.ca.gov/publications/2023/2023-2024-investment-plan-update-clean-transportation-program

* [AB 841](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB841) (Ting, Chapter 372, Statutes of 2020) <https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB841>
* [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

* [CEC Resolution: Committing to Support California Tribal Energy Sovereignty](https://www.energy.ca.gov/sites/default/files/2023-02/Item_09_Tribal_Energy_Sovereignty_Resolution_ada.pdf). Resolution No. 23-0302-09. March 2, 2023. <https://www.energy.ca.gov/sites/default/files/2023-02/Item_09_Tribal_Energy_Sovereignty_Resolution_ada.pdf>
* [Energy Commission Agreement Management System (ECAMS)](https://www.energy.ca.gov/funding-opportunities/funding-resources/ecams-resources) <https://www.energy.ca.gov/funding-opportunities/funding-resources/ecams-resources>

# Eligibility Requirements

## Applicant Requirements

### Eligibility

This solicitation is open to all Federally Recognized Tribal Governments, California Native American tribes, California Tribal Organizations serving Federally-recognized California Native American Tribes, Tribal Organizations, Tribally owned businesses.

“Federally Recognized Tribal Government” refers to the tribal government and tribal members of any tribe, band, pueblos, nation, or other organized group or community that is acknowledged by the Federal Government to constitute a tribe with a government-to-government relationship with the U.S. and eligible for the programs, services, and other relationships established by the U.S. for Indians because of their status as Indians. (U.S. Department of Transportation Order DOT 5301.1 dated November 16, 1999.)

“California Native American tribe” refers to a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission. (The State of California and its local jurisdictions, under numerous circumstances, recognize federally “unacknowledged” tribal governments and communities. The California Native American Heritage Commission provides a listing of these tribal governments and communities.)

“Tribal Organization” refers to a corporation, association, or group controlled, sanctioned, or chartered by a Federally Recognized Tribal Government or California Native American tribe that is subject to its laws, the laws of the State of California, or the laws of the United States.

A Tribally owned business refers to a corporation that is wholly owned by a Federally Recognized Tribal Government or California Native American tribe but is separate and distinct from the tribal government. Examples of such tribally owned businesses include IRA Section 17 Corporations, tribally chartered corporations, or a “state-chartered” tribal corporation.

Ineligible applicants include all other entities, such as California state agencies, boards, and commissions and investor-owned utilities.

### Eligible Geographies

1. All project locations must be within California.
2. Project Activity 1 – EV Charging Infrastructure sites must be identified and be within California and be located on or connected to tribal land. Tribal land for the purposes of this solicitation includes:
* Land which is located within the boundaries of an Indian reservation, pueblo, or rancheria.
* Land not located within the boundaries of an Indian reservation, pueblo or rancheria, the title to which is held:
* in trust by the United States for the benefit of an Indian tribe or an individual Indian
* by an Indian tribe or an individual Indian, subject to restriction against alienation under laws of the United States
* by a dependent Indian community
* Land held under a long-term land lease (as a minimum, for the useful life of the proposed project) by an Indian tribe.
* Lands held in fee simple (purchased or owned) by an Indian tribe.
1. Project Activity 2 – EV Infrastructure Planning must plan infrastructure conforming with the above requirements for Project Activity 1 – EV Charging Infrastructure.

### Terms and Conditions

Applicants awarded a grant agreement will not be required to provide a limited waiver of sovereign immunity covering the scope of the grant agreement.

Each grant agreement resulting from this solicitation will include terms and conditions that set forth the grant recipient’s rights and responsibilities. See Attachment 10. By providing the authorizations and certifications required under this solicitation (the ECAMS submission system will require Applicants to provide the required authorizations and certifications listed prior to final submission, see Section III.D.1 for the list of authorizations and certifications), each Applicant agrees to enter into an agreement, if awarded, with the CEC to conduct the proposed project according to the Attachment 10 terms and conditions.

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.

### 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 and project team members (e.g., subrecipients and even match fund partners) 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). Applicants should provide the exact legal name of entities included in their applications, along with any fictitious business names. Fictitious business names must be currently valid, i.e., not expired with the Secretary of State. As part of the CEC’s due diligence, particularly during the agreement development phase, CEC staff may request the supporting documentation regarding the above registration requirements.

For more information, contact the Secretary of State’s Office via the Secretary of State Office’s website at [www.sos](http://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

### Distribution of Funding

* Eligible soft costs such as project labor, fringe benefits, and materials will be reimbursable for all three Project Activities. See below for additional information about eligible costs for each Project Activity.
* For Project Activity 1 – EV Charging Infrastructure activities, in the case of eligible individual equipment purchases of over $10,000 per unit, the grant recipient may provide the CEC with an invoice for the piece of equipment if the cost has been incurred (i.e. the grant recipient has become legally obligated to pay the expense). The CEC will then provide a payment for the aforementioned piece of equipment, upon which the grant recipient will have 14 calendar days to purchase the piece of equipment from the vendor. Pre-purchase payments will only be made upon provision of a purchase order to the CEC and will be paid in monthly increments of up to $100,000 per month.

### Project Timeline

All projects must be completed within three years of agreement execution.

### Project Activity 1 – EV Charging Infrastructure Requirements

Applicants may apply for funding to install EV charging equipment, supporting infrastructure, and associated resiliency technologies for passenger, and medium- and heavy-duty (MDHD) EVs.

1. **Eligible Project Costs**

Costs incurred for the following for Project Activity 1 are eligible for CEC reimbursement or as the Applicant’s match share (if match share is provided) and may include, but are not limited to:

* Electrical infrastructure: transformers, electric panels, electricity transmission materials (wiring, conduit, hangers, etc.)
* Electric vehicle charging equipment
* Resiliency equipment
* 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 power 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 other energy loads. Hardware and software to enable charger or charging infrastructure operation. Renewable distributed energy resources are limited to less than 50% of the total project cost
* Power conversion hardware
* Communications network signal boosters
* Installation/construction costs for eligible equipment
* Utility service upgrades and integration (only if these costs will not be reimbursed by an existing utility program)
* Planning and engineering design costs
* Network agreement with network provider
* Stub-outs
* Demand management equipment
* Equipment maintenance or maintenance agreements for term of the agreement
* Outreach, project management, and reporting, and blueprint development
1. **Project requirements**
* L2 charging station sites must include a minimum of 5 L2 chargers per site.
* Direct current (DC) fast charging station sites must include a minimum of 2 DC fast chargers.
* DC fast charging station sites must also have at least one Level 2 charger with SAE standard J1772 connector.
* Grants must fund the purchase of new equipment installed for the first time. Leasing of EV chargers and/or related infrastructure is excluded from this solicitation.
* Charging equipment must be accessible to either the general public and/or tribal members. EV chargers installed for private use at residential housing (single or multifamily) are excluded from this solicitation.
1. **Charging Equipment Requirements**
* Level 2 (L2) chargers must utilize the SAE J1772 charging connector.
* DC fast chargers must include the SAE Combined Charging System (CCS) J1772 connector and may additionally include CHAdeMO, NACS (North American Charging Standard), and/or Tesla connectors.
* Grid-connected DC fast chargers must have a minimum charging rate of 50 kilowatts (kW).
* In cases where the Applicant installs networked L2 and DC fast chargers charging equipment, the networked charging equipment must be ISO 15118 ready[[1]](#footnote-2) and compliant with Open Charge Point Protocol (OCPP) 1.6 or later. Additionally, equipment models installed after January 2025 must be certified for OCPP 2.0.1 or later by the Open Charge Alliance.[[2]](#footnote-3)
* All charging equipment must be ENERGY STAR® certified and Approved by a Nationally Recognized Testing Laboratory (NRTL) program for EV charger testing and certification.
* Charging equipment must be able to withstand extreme weather and attempts at vandalism.
* Maintenance must be performed by qualified technicians of electric vehicle charging infrastructure.
* If payment is required, the charging station must accept some form of credit cards and multiple forms of payment.
1. **Operation and Maintenance**
* The grant recipient must maintain charging equipment and, if applicable, associated renewable energy distributed resources in an operational state for at least 6 years after the beginning of operation.
* Projects must include an operation and maintenance plan.
* Projects must be compatible with on-road EVs and provide 24/7 customer service support via a toll-free telephone number.
1. **Requirements for Charging Equipment Installed After January 1, 2024**In addition to the other requirements set forth in this solicitation, the terms and conditions applicable to the Applicant and the law, electric vehicle 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 (Ting, Chapter 345, Statutes of 2022) 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.
2. **EVITP Installation Requirement (PUC 740.20)**

AB 841 (Ting, Chapter 372, Statutes of 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.

Therefore, applying PUC 740.20 EVITP requirements to the grant agreement means that 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 kilowatts or more to a vehicle must have at least 25 percent 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:

* EV charging infrastructure installed by employees of an electrical corporation or local publicly owned electric utility.
* EV charging infrastructure funded by moneys derived from credits generated from the [Low Carbon Fuel Standard (LCFS) Program](https://ww2.arb.ca.gov/our-work/programs/low-carbon-fuel-standard) (Subarticle 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). The official legal edition of title 17, CCR, sections 95480-95503 is available at the Office of Administrative Law website: http://oal.ca.gov/publications/ccr/.
* Single-family home residential EV chargers that can use an existing 208/240-volt outlet.

EV charger installation must be performed by EVITP-certified installers even for projects on tribal land because law imposes a requirement on the CEC when issuing funding. If, however, any tribes operate a publicly owned electric utility or corporation, the provision would not apply because Public Utility Code section 740.20(b) states that the certification requirement does not apply where the installation is by employees of an electrical corporation or local publicly owned electric utility.

### Project Activity 2 – EV Infrastructure Planning Project Requirements

Applicants may apply for funding to support EV infrastructure pre-deployment planning activities to prepare grant recipients to apply for future funding opportunities and to provide a clear path forward for EV adoption.

**a) Eligible Project Costs**

Examples of project types that may be eligible for this grant funding include, but are not limited to, any combination of the following:

* + Strategic planning studies on EV charging infrastructure options.
	+ Financial feasibility planning for EV infrastructure.
	+ EV fleet transition plans.
	+ Project planning and management for electrical vehicle infrastructure and resiliency projects.
	+ Development of the required Blueprint document.

**b) Blueprint**

All EV Infrastructure Planning projects must develop a Blueprint that will assist other tribes in pre-deployment planning activities for EV infrastructure. The Blueprint for EV Infrastructure Planning projects must be structured as follows:

* Preform a baseline assessment of current tribal infrastructure, existing transportation needs, and electrical needs.
* Describe any applicable permitting and utility electrical service upgrade process.
* Assess the economic and technological feasibility of charging technologies and site locations.
* Create a business model for the optimal charging technology and project locations chosen by the tribe. Include the rationale for being considered optimal.
	+ Identify stakeholders.
	+ Identify the actions and milestones needed for implementation of EV infrastructure.
	+ Preform a cost analysis and include any risk mitigation strategies.
	+ Include an Operations, Maintenance and Resiliency plan.
* Lessons learned and next steps.

### Project Activity 3 – EV Workforce Training and Development Project Requirements

1. **Eligible Project Costs**

 Eligible project costs for Project Activity 3 include but are not limited to:

* Workforce training in EV charger construction, installation, operation, maintenance, and service.
* Transportation electrification technology deployment training beyond EV charging.
	+ Trainings include virtual, in-person, or a hybrid format and may include support services for trainees to participate in trainings.
* Assessment of occupations, job roles, required skills, skills gap(s), training needs, and capacity building.
* Job outreach, employer engagement, training readiness, and career pathway development.
* Curriculum development, classroom instruction, on-the-job training, and train-the-trainer activities.
* EV charger and infrastructure training and capacity building for construction, installation, operations, maintenance, and repair.
* EVITP training and certification and auditing by tribal members and tribal-adjacent communities for eligible electricians.
* Training by public, private, and Original Equipment Manufacturer (OEM) training providers for all project-related industries, products, and services.

### Other Incentive Funding

A project that receives incentive funding from another CEC grant funding opportunity (GFO) or block grant incentive project is not eligible for this GFO.

## Match Funding Requirements

### Total Match Share Requirement

 No match funding is required for this solicitation.

“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 grant agreement.
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 must submit a letter of commitment from each match share partner identifying the source(s) and availability of match funding.
4. During the term of the grant 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 as long as 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.
8. Match share expenditures are allowable under an agreement only if they are incurred after CEC notifies the Applicant that its project has been proposed for an award through the release of a Notice of Proposed Awards (NOPA). Match expenditures incurred after the release of a NOPA but prior to the execution of an agreement are made at the Applicant’s own risk. CEC is not liable for Applicant’s match share costs if the grant is not approved, if approval 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 CEC funds.

### Cash Match Share Requirement

 Cash match is not required under this solicitation.

Cash match means the net of any funds actually 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.

### In-Kind Match Share

 No in-kind match is required for this solicitation.

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.

In-kind match share contributions are: 1) non-cash contributions provided by the Applicant; 2) cash or non-cash contributions provided by subrecipients; 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 agreement budget and supported with appropriate documentation. Cost allocations must be reasonable and allocable to the proposed project.

### Match Share Restrictions

1. ***Other Sources of CEC Funding*** – Other sources of CEC funding may not be claimed as match share. This includes block grants funded by the CEC.
2. ***Property Not Owned by the Applicant*** – Donated property may be claimed as match based on the fair market value of renting or leasing the property. Fair market value is based on rental costs of comparable property (if any), market conditions in the area, alternatives available and the type, life expectancy, condition, and value of the property.
3. ***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.
4. ***Valuation of Land*** –Land cannot be depreciated. If the value of land is claimed as match, the Applicant must provide documentation to support a fair market value for the use of the land (i.e., rent or lease cost) for the time period it is used. Appraised value of land cannot be used since this represents the full value of the land if it is sold which includes value beyond the term of the proposed project.
5. ***Property Owned by a Related Party*** –Related parties are individuals or other entities that are able to 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. Because an agreement between an Applicant and a related party is a “less than arms-length” transaction, Applicants must disclose the relationship between the Applicant and the related party and be able to support the fair market value of property that is claimed as match.

If CEC funds are used to reimburse lease/rental payments for property owned by a related party, the Applicant can only claim the ***lesser*** of fair market value or actual lease payments, regardless of lease agreement terms.

1. ***Prorated Value of Property*** – The allowable claimed value of property must be prorated based on the percentage the property is used for the proposed project. For example, if only half of a building is being used for the proposed project, then only 50% of the monthly fair market value of the entire building can be claimed as match while the building is being used for the project.
2. ***Documentation*** – If selected for an award, all claimed match share expenditures must be adequately documented to CEC during the agreement invoicing process which may include but is not limited to: the fair market value of existing property, methodology to allocate existing property on a prorated basis, lease agreements, and other appropriate documentation.

## 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.

### 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.

### Forgone Rent

For example, rent that is not paid is not an allowable item of cost.

### 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 actually pays $10,000 but the vendor refunds $4,000 – only the net $6,000 is an allowable item of cost.

### 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.

### Hydrogen refueling infrastructure

### EV chargers installed for private use at single-family or multifamily residences

### Vehicle incentives

### Infrastructure not directly related to EV charging, beyond associated resiliency technologies

### Costs that occur outside of the grant agreement term

### Direct lobbying

### The following costs associated with job outreach and engagement:

* Alcoholic refreshments
* Participant incentives, such as door prizes, which are unrelated to specific job outreach and engagement

### Utility-provided electrical upgrades and funding

For example, expenses that are already paid or to be paid for through a utility program, tariff, or other ratepayer funding is not an allowable item of cost. This includes ratepayer or Low Carbon Fuel Standard funded enrollment incentives.

### Compliance with Local, Regional, State, or Federal Law, Rule or Regulation

Unless a cost is listed as an eligible project cost in Section II.B. above all expenses associated with ensuring compliance with local, regional, state, or federal laws, rules or regulations are unallowable. For example, expenses associated with ensuring compliance with state or federal building codes, including provisions of the California Green Building Standards Code requiring the installation of Electric Vehicle Capable, or Electric Vehicle Ready parking spaces, is not an allowable item of cost.

### Utility bills or other ongoing electrical cost of service

### Extended warranties

# 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 to evaluate each application uniformly and fairly. Applicants must follow all application format instructions, answer all questions, and supply all requested information.

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 <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 emailECAMS.SalesforceSupport@energy.ca.gov for support.

ECAMS allows Applicants to complete and submit their application to the 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 in-person 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.

## Project Narrative Page Limitations

The project narrative is limited to 10 pages.

The applicant certification, scope of work, schedule of products and due dates, budget forms, resumes, contact list, letters of support/commitment, CEQA/Environmental Compliance form, localized health impacts information form, past performance reference form(s), and the applicant declaration do not count towards this page limitation.

## 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.

|  |  |
| --- | --- |
| **Item** | **Attachment Number** |
| Scope of Work | Attachment 1 |
| Schedule of Products and Due Dates | Attachment 3 |
| Proposal Budget Template | Attachment 4  |
| Contact List | Attachment 5 |
| CEQA/Environmental Compliance Form | Attachment 6 |
| Localized Health Impacts Information Form | Attachment 7 |
| Past Performance Reference Form(s) | Attachment 8 |
| Applicant Declaration | Attachment 9 |
| Project Narrative | Attachment 11 |
| Resumes | Attachment 12 |
| Letters of Support/Commitment | Attachment 13 |

### 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.

### 2. 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.

### 3. Schedule of Products and Due Dates (Attachment 3)

Applicants must include a completed Schedule of Products and Due Dates. All work must be scheduled for completion within three years from the start date and by no later than **March 31, 2027**, to allow timely processing of final invoices before the liquidation date of CEC funds. Instructions for the Schedule of Products and Due Dates are included in Attachment 3. The Schedule of Products and Due Dates must be in MS Excel.

### 4. Budget Forms (Attachment 4)

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

**Option 1: Prime Applicant’s budget is both keyed directly into ECAMS and uploaded as an MS Excel attachment; Major Subrecipient(s) 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>.

**Option 2: Upload all budgets (Prime 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 CEC 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](https://www.energy.ca.gov/funding-opportunities/funding-resources/ecams-resources) 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 as long as 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 CEC notifies the Applicant that its project has been proposed for an award through the release of a Notice of Proposed Awards (NOPA). However, match expenditures incurred after release of the NOPA but prior to the execution of a grant agreement are made solely at the Applicant’s own risk.
			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 CEC funds will require disposition of purchased equipment at the end of the project. Typically, grant recipients may continue to utilize equipment purchased with CEC funds as long as the use is consistent with the intent of the original agreement. There are no disposition requirements for equipment purchased with match share funding.
		2. 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.
		3. 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.

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.

### 5. 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.

### 6. CEQA/Environmental Compliance Form (Attachment 6)

Applicants must include a completed CEQA/Environmental Compliance Form. CEC requires this information to assist it in making its own determination under the California Environmental Quality Act (Public Resources Code Section §§ 21000 et seq).

Applicants must complete the detailed CEQA/Environmental Compliance Form and submit it with their application. This worksheet will help Applicants and CEC to determine environmental compliance obligations by identifying which projects may require more extensive environmental review. Failure to complete the form may lead to disqualification of the application.

Applicants are encouraged to provide documentation of communication with the local CEQA 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 its 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 (e.g. a letter or e-mail) explaining why CEQA review is not required.

a. **Additional Requirements**

Time is of the essence. CEC funds available under this solicitation have encumbrance deadlines as early as June 30, 2025. In order to meet this deadline, the CEC must have environmental compliance related information from Applicants, and sometimes other entities, such as local governments, in a timely manner. Unfortunately, even with this information, the CEC may not be able to complete its environmental review prior to the encumbrance deadline for every project. For example, if a project requires an Environmental Impact Report under CEQA, the process to complete it can take many months. For these reasons, it is critical that Applicants provide all environmental compliance related information to the CEC in a timely manner.

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 environmental review associated with a proposed project would not likely be completed prior to the encumbrance deadline referenced above, and that the CEC’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 review. Examples of situations that may arise related to environmental review include but are not limited to:

• Example 1: If another state agency or local jurisdiction, such as a city or county, must take 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 the tribe or 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 entity.

• 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 another 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 a 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 and are only provided as further clarification for potential applicants. Please plan project proposals accordingly.

### 7. Localized Health Impacts Information Form (Attachment 7)

Applicants must complete and submit a Localized Health Impacts Information Form, if applicable. See Attachment 7 for details. CEC may require this information to assist in developing and publishing a localized health impact report.

### 8. Past Performance Reference Form(s) (Attachment 8)

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 10 years, including ongoing agreements, and the 5 most recent agreements with other public agencies within the past 10 years.

### 9. Applicant Declaration (Attachment 9)

This form requests the Applicant make certain declarations. The declaration must be signed under penalty of perjury by an authorized representative of the applicant’s organization.

The CEC may have waived the requirement for a signature on application materials for this solicitation. If a notice regarding CEC’s waiver of the signature requirement appears here: <https://www.energy.ca.gov/funding-opportunities/solicitations>, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

### 10. Project Narrative (Attachment 11)

The Project Narrative must include a table of contents (which will not count towards the page limitation) 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. Please include your completed Project Narrative in the placeholder word file in Attachment 11.

If applying for a combination of all project activities, the scoring team asks that the Applicant identify in the Project Narrative, how much is being budgeted for EV Workforce Training and Development. The Project Narrative must address the scoring criteria and include the following information:

1. Demonstrated Need or Value
* Describe the need for grant funds, why the project would not proceed in the absence of CEC funding, and how the project will address Tribal communities’ needs. Describe the positive impacts the development will have on the tribal community.
* Detail the benefits to the Tribal community as a result of the proposed project. Benefits may include, but are not limited to, increased mobility and access to EV charging infrastructure, decreased emissions, improving charging and electrical reliability, and associated economic benefits.
* If the Applicant is requesting funding for resiliency technologies, explain why these technologies are necessary to ensure reliable EV charging.
* Describe the amount and purpose of funding intended for Project Activity 3 – EV Workforce Training and Development, if applicable.
1. Project Implementation and Readiness
* Detail the project goals and objectives including:
	+ The number of passenger and/or MDHD EV charging applications and resiliency technologies to be deployed, if applicable.
	+ How resiliency technologies support EV charging as their primary use case, if applicable.
	+ The process used for site selection, if applicable.
	+ How user and vehicle safety will be ensured, if applicable. Include a description of lighting and any other safety or security features.
	+ How the project will provide customer support to address customer concerns at each charging site, if the project proposes to fund EV charging infrastructure.
	+ List the anticipated EV Infrastructure Planning project deliverables and how the expected plan will be feasible for implementation, if applicable.
	+ Workforce training and development needs, opportunities, and skills gaps that the project will remedy, if applicable. Describe how the proposed project will increase worker skills and document the number of trainees/participants served and new full or part-time jobs created.
* Explain how the proposed project is technically feasible and can address critical factors and risks to project success.
* Provide a project schedule that is complete, sequential, reasonable, expedited, and will lead to successful and scheduled completion of the project.
1. Team Qualifications and Experience
* Describe the project team’s qualifications (including relevant expertise, experience, and skill sets) and suitability to the tasks described in the proposed scope of work.
* Discuss the Applicant’s and project team’s experience with existing or prior funding agreements (CEC and/or other public agencies), if applicable.
* Discuss the project team’s ability to meet deadlines and complete milestones associated with large, complex projects, and control project costs.
* List and describe project team member and key project partner functions.
1. Project Budget and Cost Effectiveness
* Describe how the proposed budget is justifiable and reasonable relative to the project goals, objectives, and tasks.
* Discuss risks and/or budget contingencies and how those risks or contingencies will be addressed and mitigated.
* Describe the project team’s internal controls to ensure:
	+ The ability to control and minimize administrative and overhead costs while ensuring effective and successful project implementation.
	+ Complete and accurate accounting of project funds.
	+ Proper invoicing and payment of bills.
* Discuss whether the project will continue beyond the term of the CEC’s funding agreement.

### 11. Resumes (Attachment 12)

Applicants must include key 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 pages each. Please include all resumes in the placeholder word file contained in Attachment 12.

### 12. Letters of Support/Commitment (Attachment 13)

Applicants must submit a match funding commitment letter from each entity that is committing to providing match funding, if match funding is provided. 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. Please include all Letters of Support and Commitment in the placeholder word file contained in Attachment 13.

1. **Key Project Partners (if applicable):** Key project partners identified in the application must provide letters demonstrating their commitment or support to the proposed project and their ability to fulfill their identified roles. **Authorized Tribal Representative or Tribal Designees must provide a letter demonstrating support from an eligible tribe for the proposed project signed by the Tribal Council.**
2. **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.
3. **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.

# IV. Evaluation and Award Process

## 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[[3]](#footnote-4) of CEC agreements. 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 or staff of other California state entities.

### 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.

#### 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 |

#### Technical Screening Criteria

1. The Applicant is an eligible applicant.

2. The project is an eligible project.

3. The Applicant passes the past performance screening criterion.

#### 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.

Severe performance issues are 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 are 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 Applicant experiences loss of a key project partner or site control may be considered significant.

#### 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.

#### Technical Evaluation

Applications passing all screening criteria will be submitted to the Evaluation Committee to review and score based on the Evaluation Criteria using the Scoring Scale described below.

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 percent 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 applications submitted by 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 e-mailing 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

|  |  |
| --- | --- |
| **Evaluation Criteria** | **Possible Points** |
| **1. Demonstrated Need or Value**Applications will be evaluated on the degree to which:* The proposed project fulfills a demonstrated Tribal need and would not proceed in the absence of CEC funds.
* The proposed project will have a positive impact on the tribal community.
* The proposal details and provides proposed metrics to quantify and demonstrate the proposed projects benefits to the Tribal community, and how those benefits meet the described need.
* The Applicant has demonstrated a need for resiliency technology to support reliable EV charging, if the application requests funds for resiliency technologies.
* The Applicant has demonstrated a need for workforce training and development funding to support EVs, EV infrastructure, and EV-related technologies, as applicable.
 | 30 |
| **2. Project Implementation and Readiness**Applications will be evaluated on the degree to which:* The Scope of Work is accurate, complete, detailed, and thorough.
* The project narrative clearly describes project goals and objectives, as applicable.
* The proposed project is technically feasible and can address critical factors and risks to project success.
* The project schedule is complete, sequential, reasonable, expedited, and will lead to successful and scheduled completion of the project.
 | 30 |
| **3. Team Qualifications and Experience** Applications will be evaluated on the degree to which:* The proposed project team is qualified, and has the relevant expertise, experience, skill sets and suitability to the tasks described in the proposed scope of work.
* The Applicant demonstrates experience with existing or prior funding agreements from the CEC or other public agencies, as applicable, and how the project team completed objectives in a timely, efficient, and professional manner.
* The proposed project team demonstrates their ability to manage and implement large, complex projects and meet deadlines and milestones and control project costs.
* Past performance on prior CEC awards has been timely and exceptional.
* Proposed project team member and key project partner functions are relevant and applicable to the proposed project.
 | 20 |
| **4. Project Budget and Cost Effectiveness**Applications will be evaluated on the degree to which:* The proposed budget is justified and reasonable relative to the project goals, objectives, and tasks.
* The Applicant addresses and mitigates potential risks and budget contingencies.
* The proposed project minimizes administrative and overhead costs for reimbursement.
* The proposed project has documented internal controls and processes to ensure complete and accurate accounting of project funds, and proper invoicing and payment of bills.
* The proposed project is fiscally sustainable and will continue beyond the term of the CEC’s funding agreement.
 | 20 |
| **Total Possible Points** | **100** |
| **Minimum Passing Score (70%)** | **70%** |

## Tie Breakers

If the score for two or more Applications, the Application with a higher score in the Project Budget and Cost Effectiveness criterion will be ranked higher. If still tied, an objective tiebreaker (such as a random drawing) will be utilized.

#

# Administration

## Definition of Key Words

Important definitions for this solicitation are presented below:

|  |  |
| --- | --- |
| **Word/Term** | **Definition** |
| AC Level 2 | A charger that operates on a circuit from 208 volts to 240 volts and transfers alternating-current (AC) electricity to a device in an electric vehicle (EV) that converts AC to direct current to charge an EV battery. |
| API | Application programming interface. 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. |
| Applicant | Respondent to this solicitation |
| Application | Formal written response to this document from applicant |
| Authorized Tribal Representative or Tribal Designee | A person that is applying on behalf of an eligible tribe with the written consent of the Tribal Council. |
| California Native American tribe | Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission. |
| California Tribal Organization serving a Federally-recognized California Native American Tribe | A corporation, association, or group controlled, sanctioned, or chartered by a Federally-recognized California Native American Tribe that is subject to its laws, or the laws of the United States. |
| CAM | Commission Agreement Manager |
| CAO | Commission Agreement Officer |
| CEC | California Energy Commission |
| Charge attempt | Any instance of an EV driver taking action to initiate a charging session by taking one or all of the following steps in any order: 1) attaching the connector to the EV appropriately or 2) attempting to authorize a charging session by use of radio frequency identification (RFID) technology, credit card, charging network provider smartphone application (app), screen input, or calling the charging network provider’s customer service number. |
| Charger | 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 provides 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 EV is allowed to request energy. Charging sessions can be terminated by the customer, the EV, 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. |
| Charging station management system | A system that may be used to operate a charger, to authorize use of the charger, or to record or report charger data, such as by using OCPP.  |
| Charging station operator | The entity that owns the chargers and supporting equipment and facilities at one or more charging stations. Although this entity may delegate responsibility for certain aspects of charging station operation and maintenance to subcontractors, this entity retains responsibility for operation and maintenance of chargers and supporting equipment and facilities. In some cases, the charging station operator and the charging network provider are the same entity.  |
| Connector | The device that attaches an EV to a charging port to transfer electricity. |
| CPR | Critical Project Review |
| CTP | Clean Transportation Program |
| Depot | Type of “home base” behind-the-fence location where a vehicle is typically kept when not in use (usually parked on a nightly basis). |
| Direct Current (DC) Fast Charger | Equipment that provides charging through a direct-current plug, typically at a rate of 50 kilowatts or higher. |
| Electric Vehicle (EV) | A motor vehicle that is either partially or fully powered on electric power received from an external power source. |
| EVSE | Electric vehicle supply equipment. A charger as defined. |
| Excluded downtime | Downtime that is caused by events pursuant to Task <Fourth to Last>.4. |
| Failed charging session | Following a charge attempt, the criteria for a successful charging session were not met. |
| Federally-recognized California Native American Tribe | A Native American tribe located in California that is on the United States Department of the Interior’s list of Indian Entities Recognized by and Eligible To Receive Services From the United States Bureau of Indian Affairs, in the federal register, and the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004. |
| FTD | Fuels and Transportation Division |
| GAAP | Generally Accepted Accounting Principles |
| Inoperative state | The charger or charging port is not operational. |
| 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. |
| Interoperability | Successful communication between the software, such as the software controlling charging on the EV and the software controlling the charger. Interoperability failures are communication failures between the EV and charger that occur while the software of each device is operating as designed. Interoperability failure leads to failed charging sessions. |
| Level 2 Charging | Electric vehicle charging at 208/240 volts |
| Maintenance | Any instance in which preventive or corrective maintenance is carried out on equipment.  |
| Networked | A charger 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. |
| Nonnetworked charger | A charger that is not networked. |
| OCPP | Open Charge Point Protocol. An open-source communication protocol that specifies communication between chargers and the charging networks that remotely manage the chargers.  |
| Operational | Or “up.” A charging port’s hardware and software are both online and available for use, or in use, and the charging port is capable of successfully dispensing electricity. |
| Operative state | The charger is operational. |
| Preventative maintenance | Maintenance that is performed on physical assets to reduce the chances of equipment failure and unplanned machine downtime.  |
| Private | Charging ports located at parking space(s) that are privately owned and operated, often dedicated to a specific driver or vehicle (for example, a charging port installed in a garage of a single-family home). |
| Public | Charging ports located at parking space(s) designated by the property owner or lessee to be available to and accessible by the public. |
| Recipient | An applicant awarded a grant under a CEC solicitation. |
| Shared Private | Charging ports located at parking space(s) designated by a property owner or lessee to be available to, and accessible by, employees, tenants, visitors, and residents. Examples include workplaces and shared parking at multifamily residences. |
| Solicitation | Grant Funding Opportunity, which refers to this entire solicitation document and all its attachments and exhibits |
| Software | A set of instructions, data, or programs used to operate computers and execute specific tasks. |
| State | State of California |
| Successful charging session | Following a charge attempt, a customer’s EV battery is charged to the state of charge the customer desires and is disconnected manually by the customer or by the EV’s onboard software system terminating the charging session, without an additional charge attempt.  |
| Tribal Organization | A corporation, association, or group controlled, sanctioned, or chartered by a Federally Recognized Tribal Government or California Native American Tribe that is subject to its laws, the laws of the State of California, or the laws of the United States. |
| Tribally owned business | A corporation that is wholly owned by a Federally Recognized Tribal Government or California Native American Tribe but is separate and district from the tribal government. Examples of such Tribally owned businesses include IRA Section 17 Corporations, tribally chartered corporations, or a “state-chartered” tribal corporations. |
| Uptime | The time that a charger is installed during a reporting period excluding downtime pursuant to Task <Fourth to Last>.4. |

## 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 not to 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](http://www.energy.ca.gov/contracts/index.html) at 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. The 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

The 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.

## Opportunity to Cure Administrative Errors

The CEC understands and appreciates the significant time and expense Applicants spend preparing applications. An administrative error that prevents an Applicant from submitting a complete application frustrates both the CEC and Applicants. The purpose of this process is to reduce the number of applications screened out or receiving a significantly reduced score for administrative errors while maintaining a fair competition. This process also ensures better competition and thus better projects to benefit California.

After the application deadline, an Applicant might identify, or the Evaluation Committee may find what reasonably appears to be, an administrative error. For purposes of this solicitation only, an administrative error is defined as an Applicant’s inadvertent mistake that prevents materials in existence as of the application deadline from appearing in its submitted application. Examples include, but are not limited to, accidentally:

* Scanning and submitting every other page in a document instead of every page.
* Submitting the wrong document.
* Leaving out a document.

If the Evaluation Committee find what reasonably appears to be an administrative error, they can communicate with the Applicant to confirm. If an Applicant finds an administrative error in its application, it should immediately contact the Commission Agreement Officer listed in the “Contact Information” section of this solicitation.

If an administrative error has been identified and communicated to the Commission Agreement Officer, the CEC may, but is not required to, allow the Applicant a period of time to provide the missing materials. Reasons why the CEC might NOT allow an Applicant to fix an administrative error include, but are not limited to:

* The funds have a deadline that does not allow time to fix the error.
* The application has been screened out or does not receive a passing score for reasons unrelated to the administrative error, making irrelevant any efforts to fix the error.
* The Applicant brings the error to the CEC’s attention too late in the solicitation process (e.g., after awards have been approved at a Business Meeting).

If the Evaluation Committee allows an Applicant the opportunity to fix an administrative error, the Commission Agreement Officer will communicate in writing to the Applicant’s project manager listed the deadline by which the Applicant must provide the missing materials. Reasonable efforts will be made to confirm receipt of the notice, but actual notice cannot be guaranteed and the obligation is on the Applicant to ensure the proper contact(s) are listed and available to respond. The Evaluation Committee will not consider any materials submitted after the deadline.

This process only allows Applicants to submit materials in existence as of the application deadline. This process does NOT allow Applicants to submit material created or modified after the application deadline. The CEC has sole discretion to determine whether materials submitted are eligible for consideration by the Evaluation Committee under this opportunity to cure.

Applicants must include the following certification along with the materials it submits to fix an administrative error and must explain why the materials were not provided due to an inadvertent administrative error:

“I certify on behalf of the Applicant that the materials provided herein existed at the time of the application deadline, have not been modified since, and were not originally provided due to an inadvertent administrative error as described herein.”

The Evaluation Committee is not responsible for finding, or communicating with the Applicant about, any errors in an application. Applicants remain solely responsible for submitting applications, including any material submitted to fix an administrative error, that meet all 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.

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. Clean Transportation Program agreements for over $75,000 must be scheduled and considered at a CEC Business Meeting for approval by the CEC.

Public agencies that receive funding under this solicitation must provide an authorizing resolution approved by their governing authority to enter into an agreement with CEC and designating an authorized representative to sign.

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.

## 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. As defined in [CEC Recommendation for Deployment of ISO 15118-Ready](https://efiling.energy.ca.gov/GetDocument.aspx?tn=241955)

[Chargers](https://efiling.energy.ca.gov/GetDocument.aspx?tn=241955). Available at https://efiling.energy.ca.gov/GetDocument.aspx?tn=241955. [↑](#footnote-ref-2)
2. A list of certified equipment models is available at OpenChargeAlliance.org [Certified Charge Companies](https://www.openchargealliance.org/certification/certifiedcompanies/). Available at https://www.openchargealliance.org/certification/certifiedcompanies/ [↑](#footnote-ref-3)
3. [Grant Recipient and Contractor Past Performance Evaluation Approach](https://www.energy.ca.gov/media/6595) is available on the CEC website at: https://www.energy.ca.gov/media/6595. [↑](#footnote-ref-4)