**GRANT FUNDING OPPORTUNITY**

**Clean Transportation Program**

**Implementation of Medium- and Heavy-Duty**

**Zero-Emission Vehicle Infrastructure Blueprints**



GFO-23-603 – **ADDENDUM** [~~02~~] **03**

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

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

State of California

California Energy Commission

[~~October 27~~] **November 8, 2023**

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# I. 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 $20 million in grant funds for projects that will implement zero-emission vehicle charging and/or hydrogen refueling infrastructure projects developed and identified in the final blueprint planning documents resulting from GFO-20-601, “Blueprints for Medium- and Heavy-Duty (MDHD) Zero-Emission Vehicle and Infrastructure.”

Projects must fall within the following two project groups:

* Group 1: Charging Infrastructure for MDHD Zero-Emission Vehicles; or
* Group 2: Hydrogen Refueling Infrastructure for MDHD Zero-Emission Vehicles.

Prospective Applicants looking for partnering opportunities for this grant funding opportunity should register on the CEC’s [Empower Innovation website](http://www.empowerinnovation.net) at www.empowerinnovation.net.

## Background

The California Budget Act of 2021 (Assembly Bill (AB) 128, Ting, Chapter 21, Statutes of 2021, as amended by Senate Bill (SB) 129, Skinner, Chapter 69, Statutes of 2021 and SB 170, Skinner, Chapter 240, Statutes of 2021) appropriated $785,000,000 from the General Fund to support infrastructure deployments and manufacturing projects for zero-emission light-duty and MDHD vehicles.

AB 118 (Nuñez, 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 policies. AB 8 (Perea, Chapter 401, Statutes of 2013) re-authorized the Clean Transportation Program through January 1, 2024, and specified that the CEC allocate up to $20 million per year (or up to 20 percent of each fiscal year’s funds) in funding for hydrogen station development until at least 100 stations are operational.

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

* Reduce California’s use and dependence on petroleum transportation fuels and increase the use of alternative and renewable fuels and advanced vehicle technologies.
* Produce sustainable alternative and renewable low-carbon fuels in California.
* Expand alternative fueling infrastructure and fueling stations.
* Improve the efficiency, performance, and market viability of alternative light-duty and MDHD vehicle technologies.
* Retrofit MDHD on-road and non-road vehicle fleets to alternative technologies or fuel use.
* Expand the alternative fueling infrastructure available to existing fleets, public transit, and transportation corridors.
* 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.

## 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.

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

|  |  |
| --- | --- |
| **ACTIVITY** | **ACTION DATE** |
| Solicitation Release | September 19, 2023 |
| Pre-Application Workshop\* | October 2, 2023, at 10:00 a.m. |
| Deadline for Written Questions\* | October 9, 2023 |
| Anticipated Distribution of Questions/Answers | Week of October 23, 2023 |
| Support for Application Submission in the Energy Commission Agreement Management System (ECAMS) until 5:00 p.m.  | [~~Ongoing until November 13, 2023~~]**Ongoing until November 20, 2023** |
| **Deadline to Submit Applications by 11:59 p.m.\*** | [~~November 13, 2023~~]**November 20, 2023** |
| Anticipated Notice of Proposed Awards Posting  | [~~Week of December 18, 2023~~]**Week of January 8, 2024** |
| Anticipated CEC Business Meeting  | [~~March~~] **April** 2024 |

## How Award Is Determined

Applicants passing administrative and technical screening will compete based on evaluation criteria and will be scored and ranked based on those criteria. Unless CEC exercises any of its other rights regarding this solicitation (e.g., to cancel the solicitation or reduce funding), applications obtaining at least the minimum passing score will be recommended for funding in ranked order until all funds available under this solicitation are exhausted.

If the funds available under this solicitation are insufficient to fully fund a grant proposal, CEC reserves the right to recommend partially funding that proposal. In this event, the proposed Applicant/Awardee and 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 $20 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. There may be additional funding, amount to be determined, available for additional completed blueprint awards resulting from GFO-20-601, which would occur in a subsequent solicitation.

## Minimum and Maximum Award Amounts

There is up to $20 million available for grants awarded under this solicitation. The total minimum and maximum funding amounts for each Project Group are listed in the table below.

|  |  |  |  |
| --- | --- | --- | --- |
| **Project Group** | **Minimum Award Amount** | **Maximum Award Amount** | **Minimum Match Funding Required****(Percent of total project cost)** |
| **Group 1: Charging Infrastructure for MDHD Zero-Emission Vehicles** | $2,000,000 | $5,000,000 | 25 percent |
| **Group 2: Hydrogen Refueling Infrastructure for MDHD Zero-Emission Vehicles** | $2,000,000 | $5,000,000 | 25 percent |

Applicants must identify whether their proposed project will focus on Group 1: Charging Infrastructure for MDHD Zero-Emission Vehicles or Group 2: Hydrogen Refueling Infrastructure for MDHD Zero-Emission Vehicles. Applicants whose proposed project focuses on installing charging infrastructure are eligible for up to $5 million per application award, and Applicants whose proposed project focuses on installing hydrogen refueling infrastructure are eligible for up to $5 million per application award. If an Applicant plans to submit an application for a project that focuses on installing charging infrastructure, and another separate and distinct application for a project that focuses on installing hydrogen refueling infrastructure, the Applicant can be eligible for the maximum award amount in both groups, totaling $10 million. Applicants may submit multiple applications for each Project Group as long as each application is separate and distinct.

Please note the maximum award amount applies to the project, not the Applicant. Please also note that Applicants are not required to submit an application that requests the maximum award amount. Applicants may submit one or more applications that request less funding if that is all that is required.

Applicants must identify which Project Group the proposed project will principally address. The CEC expects to award at least one project in each Project Group. Once the highest ranked projects achieving at least the minimum passing score in each Project Group are recommended for funding, if funding remains available, the CEC will award the next highest-ranking project achieving at least the minimum passing score, regardless of Project Group.

If an insufficient number of passing projects are received in one of the Project Groups, the CEC reserves the right to transfer funding between the Project Groups in order to fund additional passing projects received under this solicitation.

## Maximum Number of Applications

Applicants may submit multiple applications under this solicitation.

Applicants must identify only one Project Group per the table in Section I.G that the proposed project in their application principally addresses. Each proposed project must be separate and distinct. A separate and distinct application means there is no overlap with respect to the tasks described in the Scope of Work (Attachment 01) of the application.

The CEC reserves the right to reject an application and/or cancel an award if at any time an Applicant’s proposed project overlaps with another proposed project by the same Applicant. Thus, if two or more applications, by the same Applicant, overlap in project scope, the application(s) with the lower score(s) may be disqualified from award.

## Pre-Application Workshop

There will be one Pre-Application Workshop; participation in this meeting is optional but encouraged. The Pre-Application Workshop will be held remotely through Zoom and conference call at the date, time and location listed below. Please call the Commission Agreement Officer (CAO) listed 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.

**October 2, 2023**

10:00 a.m. Pacific Time (US and Canada)

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.

**Zoom Instructions:**

<https://energy.zoom.us/j/81558937379?pwd=QlE2Njl0UEQyZ1A2NFUyMitMVUExdz09>. 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:** 815 5893 7379

**Meeting Password:** 665447

**Topic:** GFO-23-603 Implementation of Medium- and Heavy-Duty ZEV Infrastructure Blueprints

**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):

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 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/funding-opportunities/solicitations) at 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

Kevyn Piper, Commission Agreement Officer

California Energy Commission

715 P Street, MS-18

Sacramento, California 95814

Telephone: (916) 827-9294

E-mail: Kevyn.Piper@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://efiling.energy.ca.gov/getdocument.aspx?tn=249851)

Draft Staff Report (Publication Number: CEC 600-2023-029-SD)

https://efiling.energy.ca.gov/getdocument.aspx?tn=249851

* [2022-2023 Investment Plan Update for the Clean Transportation Program](https://efiling.energy.ca.gov/getdocument.aspx?tn=248494)

Commission Report (CEC-600-2022-062-CMF)

https://efiling.energy.ca.gov/getdocument.aspx?tn=248494

* Energy Commission Agreement Management System (ECAMS) https://www.energy.ca.gov/funding-opportunities/funding-resources/ecams-resources
* California Office of Environmental Health Hazard Assessment

[CalEnviroScreen 4.0](https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40)

https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40

* [Assembly Bill 2127 EV Charging Infrastructure Assessment](https://efiling.energy.ca.gov/getdocument.aspx?tn=238853)

(Publication Number: CEC-600-2021-001-CMR)

https://efiling.energy.ca.gov/getdocument.aspx?tn=238853

* California Department of Food and Agriculture, Division of Measurement Standards. [Zero-Emission Vehicle Projects](https://www.cdfa.ca.gov/dms/programs/zevfuels/). https://www.cdfa.ca.gov/dms/programs/zevfuels/
* [ISO 15118-Ready Chargers – CEC Recommendation](https://efiling.energy.ca.gov/GetDocument.aspx?tn=241955)

https://efiling.energy.ca.gov/GetDocument.aspx?tn=241955

# II. Eligibility Requirements

## Applicant Requirements

1. **Eligibility**

This solicitation is open to all entities listed on the Notice of Proposed Awards (NOPA) for GFO-20-601 the “Blueprints for Medium and Heavy Duty Zero-Emission Vehicle and Technology Infrastructure” solicitation (see table below) that have completed, submitted, and received CEC-approval of their Final Blueprint. This solicitation is also open to any commercial fleets identified as a case study or with an infrastructure analysis completed in a GFO-20-601 project, if a Final Blueprint has been completed, submitted, and CEC-approved.

| Allotrope Partners, LLC | InCharge Energy | Sacramento Municipal Utility District |
| --- | --- | --- |
| CALSTART, Inc. | Kern Council of Governments | San Diego Association of Governments |
| Center for Transportation and the Environment, Inc. (CTE) | Linde, Inc. | San Francisco Bay Area Water Emergency Transportation Authority |

| Central Coast Community Energy (3CE) | Los Angeles Clean Tech Incubator | San Francisco Department of the Environment |
| --- | --- | --- |
| Central Concrete Supply Co., Inc. | MHX, LLC | Santa Barbara Metropolitan Transit District |
| City of Culver City | Ontario International Airport Authority | SSA Pacific, Inc. |
| City of Long Beach | Oxnard Harbor District - The Port of Hueneme | STC Traffic, Inc. |
| East Bay Community Energy |  Pilot Travel Centers LLC (Pilot Flying J) | The Redwood Coast Energy Authority |
| Grossmont Union High School District |  Port of Stockton | The Regents of the University of California, Irvine |
| Hydrogen Technology Ventures (Riverside County) |  Prospect Silicon Valley | The Regents of the University of California, Riverside |
|  |  | United Natural Food, Inc. |

Note that entities that have not submitted a Final Blueprint to the CEC under their GFO-20-601 project can apply if the Final Blueprint is completed, submitted, and CEC-approved by the application deadline listed in the “Key Activities and Dates” table in Section I.D.

Similarly, commercial fleets identified as a case study or with an infrastructure analysis completed in a GFO-20-601 project are eligible to apply if the Final Blueprint has been completed, submitted, and CEC-approved by the application deadline listed in the “Key Activities and Dates” table in Section I.D.

Ineligible Applicants include investor-owned utilities in addition to any GFO-20-601 awardee identified above in Section II.A.1 who has not completed and submitted a CEC-approved Final Blueprint to the CEC by the application deadline noted above in the “Key Activities and Dates” table in Section I.D.

1. **Responsibilities of Awardee and Project Team**

Should an Applicant be awarded a grant, the Awardee will be responsible for administration of the project.

The Awardee’s major responsibilities will include, but are not limited to, the following:

* Developing and maintaining a project team that includes technology manufacturers, subrecipients, end-users, community-based organizations, and a data collection and analysis provider.
* Administering the project.
* Ensuring completion of required California Environmental Quality Act (CEQA) documents.
* Overseeing construction and installation subrecipients.
* Overseeing project budget, completion of milestones, and verifying the receipt of deliverables and the amount of funds being used for the project’s match requirement.
* Reporting to the CEC on project status, grant performance, and match expenditures.
* Submitting quarterly project reports to the CEC.
* Preparing and presenting at least two Critical Project Reviews to CEC staff.
* Submitting periodic grant disbursement requests to the CEC.
* Submitting data, as requested by the CEC.
* Coordinating monthly project status update meetings.
1. **Terms and Conditions**

Each grant agreement resulting from this solicitation will include terms and conditions that set forth the grant recipient’s rights and responsibilities. By providing the authorizations and certifications required under this solicitation, each Applicant agrees to enter into an agreement, if awarded, with the CEC to conduct the proposed project according to the terms and conditions that correspond to its organization, without negotiation: (1) University of California and California State University terms and conditions; (2) U.S. Department of Energy terms and conditions; or (3) standard terms and conditions. The standard terms and conditions are located at [CEC's funding resources website](http://www.energy.ca.gov/research/contractors.html) at https://www.energy.ca.gov/funding-opportunities/funding-resources.

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.

**Reservation of right to cancel proposed award.** Funds available under this solicitation have encumbrance deadlines which the CEC must meet in order to avoid expiration of the funds. In addition to any other rights reserved to it under this solicitation or that it otherwise has, the CEC reserves the right to cancel a proposed award if it determines, in its sole and absolute discretion, that the documentation needed would likely not be provided prior to an encumbrance deadline, and that the CEC’s ability to meet its encumbrance deadline may thereby be jeopardized. In this instance, the CEC may cancel the proposed award and award funds to the next highest scoring Applicant.

1. **California Secretary of State Registration**

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

## Project Requirements

* 1. All proposed projects must include the installation, deployment, and demonstration of electric vehicle (EV) charging or hydrogen refueling infrastructure that has been identified in a completed, submitted and CEC-approved Final Blueprint developed under GFO-20-601. Applicants must select a Project Group that aims to best support the implementation of the infrastructure goals identified in the applicable Final Blueprint. The Project Group designation will be used to categorize and rank applications for funding.
* **Group 1**: Charging Infrastructure for MDHD Zero-Emission Vehicles, such as buses and trucks, or multi-modal solutions that support both MDHD zero-emission vehicles and other end-uses with shared equipment.
	+ Proposed projects to upgrade existing charging stations are not eligible for this solicitation.
* **Group 2**: Hydrogen Refueling Infrastructure for MDHD Zero-Emission Vehicles, such as buses and trucks, or multi-modal solutions that support both MDHD zero-emission vehicles and other end-uses with shared equipment.
	+ Group 2 projects require at least two fueling positions to be utilized by MDHD zero-emission vehicles.
	+ Proposed projects to upgrade existing hydrogen refueling stations are not eligible for this solicitation.
	1. All projects must be installed in California for public and/or private use, and vehicles must be acquired to demonstrate real-world operating conditions.
	2. Eligible Applicants per Section II.A.1. must submit a new proposal for a project that was identified in the Final Blueprint developed under GFO-20-601. Applicants must identify the portion of the Final Blueprint to be implemented, and project proposals must include actionable and implementable infrastructure deployment with measurable outcomes. Activities that the Applicant proposes to implement must be consistent with those identified in the Final Blueprint.
	3. At any site that is on or adjacent to property where an MDHD fleet of any vehicle classification is or will be serviced and this MDHD fleet is committed to use the infrastructure deployed under this solicitation, the MDHD fleet owner/operator must be listed as a key project partner and provide a commitment letter for submission in the application.
	4. Each open retail electric charging station or open retail hydrogen refueling station, must complete an Open Retail Attestation Form (Attachment 11)
	5. **Data Collection**

Each grant recipient shall collect and submit 12 months of data to the CEC as specified in the Scope of Work (Attachment 01) and provide the following deliverables:

* + - NREL Data Collection Tool, if applicable
		- Initial, biannual, and as needed hydrogen purity test results, if applicable
		- Open Retail Attestation Form, if applicable (for public, open retail stations)
		- Data Collection Information and Analysis Report
	1. A project that receives incentive funding from another CEC grant funding opportunity (GFO) or block grant incentive project is not eligible for this GFO.
	2. **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](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fleginfo.legislature.ca.gov%2Ffaces%2FbillNavClient.xhtml%3Fbill_id%3D202120220AB2061&data=05%7C01%7C%7C42d6b61b96eb4134116008daf00cb71d%7Cac3a124413f44ef68d1bbaa27148194e%7C0%7C0%7C638086234657292031%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=%2FjFT6dJ0RhiGO8Tn%2FRwBEe99Xyouv9b4PvmPOJQLU5c%3D&reserved=0) (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.

**Agreements funding electric vehicle charging infrastructure and equipment:** 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 Program (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).
	+ Single-family home residential EV chargers that can use an existing 208/240-volt outlet.
	1. **Requirements for Projects Proposing to Install Electric Vehicle Charging Infrastructure Only:**

Electric vehicle charging infrastructure eligible for funding shall:

* + - Facilitate vehicle-charger interoperability. Eligible charging equipment shall utilize charging connectors and/or charging interfaces that are compatible for use with MDHD zero-emission vehicles sold by multiple original automotive equipment manufacturers for widespread use across California and North America. Such connectors/interfaces may include but are not limited to SAE J1772 CCS1, SAE J3105 or others.
* Leverage open standards-based network communications. Each individual electric vehicle supply equipment (EVSE) or charger shall be capable of open standards-based communications with an electric vehicle service provider (EVSP), local fleet energy management system (EMS), or utility. These communications should enable remote monitoring and help maintain reliable equipment operations. These functions and their associated design include:
	+ - Network connectivity (one of the following):
			* IEEE 802.11n for high-bandwidth wireless networking
			* IEEE 802.3 for Ethernet for local- or wide- area network applications
		- Ability to receive remote software updates, real-time protocol translation, encryption, and decryption:
			* Internet Protocol (IP)-based processor must support multiple protocols
			* Compliant with Transmission Control Protocol (TCP)/IP and IPv6

To encourage customer choice, these network communication standards may include but are not limited to Open Charge Point Protocol (OCPP, versions 2.0.1 or later), Open Automated Demand Response (OpenADR, IEC 62746-10-1 ED1), or those outlined by the Smart Grid Interoperability Panel (SGIP) Catalog of Standards, the NIST Smart Grid Framework, the American National Standards Institute (ANSI), or other well-established international standards organizations such as the International Organization for Standardization (ISO), International Electrotechnical Commission (IEC), International Telecommunication Union (ITU), Institute for Electrical and Electronics Engineers (IEEE), or Internet Engineering Task Force (IETF).

* Be capable of managing charging costs and supporting grid reliability. Eligible charging equipment shall, leveraging the open standards-based network communications described above, be capable of receiving energy management signals (such as hourly prices or direct load controls) from an EVSP, EMS, or utility. Eligible charging equipment shall be capable of automatically adjusting charging load in consideration of the energy management signal, subject to the constraints of driver preferences, and vehicle energy and operational schedule requirements.

Optionally, be capable of bidirectional power flow. Eligible equipment shall be capable of facilitating and metering bidirectional or reverse power flow between the vehicle and the grid. Communications between the charger and other electrical control signals (for example, those of a utility, islanded load, or building) are not specifically defined to allow for project-specific implementation.

* 1. **Requirements for Projects Proposing to Install Hydrogen Refueling Infrastructure**

**Hydrogen Safety Plan**

If awarded under this solicitation, the grant recipient shall develop a Hydrogen Safety Plan for each proposed hydrogen refueling station design.

The Hydrogen Safety Plan will be a subtask under one of the technical tasks in the Scope of Work (Attachment 01) and shall be completed by the dates specified in the Schedule of Products and Due Dates (Attachment 03).

The grant recipient must prepare (a) preliminary Hydrogen Safety Plan for the Pacific Northwest National Laboratory (PNNL) Center for Hydrogen Safety’s [Hydrogen Safety Panel](https://h2tools.org/hsp) (HSP) to review. Information on the HSP is available at https://h2tools.org/hsp. It is up to the grant recipient to work directly with the PNNL HSP to submit the preliminary Hydrogen Safety Plan to the PNNL HSP. If the grant recipient wishes the plan to be kept confidential by the PNNL HSP, it is up to the grant recipient to work with the PNNL HSP to achieve that. The PNNL HSP will assess the preliminary Hydrogen Safety Plan for adherence to the most recent version of public guidelines titled [Safety Planning for Hydrogen and Fuel Cell Projects](https://h2tools.org/sites/default/files/Safety_Planning_for_Hydrogen_and_Fuel_Cell_Projects.pdf), available at:

https://h2tools.org/sites/default/files/Safety\_Planning\_for\_Hydrogen\_and\_Fuel\_Cell\_Projects.pdf.

The safety plan shall describe the grant recipient’s work and activities to ensure safety, the technologies being demonstrated, and the evaluation results of any hazard analysis performed. The grant recipient shall also include the following in the Hydrogen Safety Plan:

* 1. A detailed description about how the grant recipient will adhere to the most recent public guidelines titled Safety Planning for Hydrogen and Fuel Cell Projects, throughout the life of all of the stations. [Safety\_Planning\_for\_Hydrogen\_and\_Fuel\_Cell\_Projects-March\_2016.docx (h2tools.org)](https://h2tools.org/sites/default/files/Safety_Planning_for_Hydrogen_and_Fuel_Cell_Projects-March_2016.pdf#:~:text=The%20project%20safety%20planning%20process%20is%20meant%20to,and%20operation%20of%20hydrogen%20and%20fuel%20cell%20equipment.). Should the grant recipient’s adherence with the public guidelines or its Hydrogen Safety Plan lapse, without limitation to any other rights, the CEC reserves the right to cancel the grant recipient’s agreement funded by this solicitation.

b. A detailed description about how the grant recipient will conform to the National Fire Protection Association (NFPA) 2 <https://www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards/detail?code=2>, Hydrogen Technologies Code 2020 edition. The current edition of NFPA 2 should be used unless another edition is specifically required by the authority having jurisdiction (AHJ) where the facilities and equipment will be located. If the AHJ is using an older edition, the grant recipient is recommended to work with the AHJ to consider using the latest edition as it has been updated to better address fueling infrastructure safety. Should the grant recipient’s compliance lapse, without limitation to any other rights, the CEC reserves the right to cancel the grant recipient’s agreement funded by this solicitation.

c. A detailed description about how the grant recipient will provide ongoing safety training for station personnel from each station’s initial operation through retraining over the life of each station. Should the training lapse, without limitation to any other rights, the CEC reserves the right to cancel the grant recipient’s agreement funded by this solicitation.

The PNNL HSP will forward their non-confidential assessment of the preliminary Hydrogen Safety Plan to the CEC and the grant recipient. The grant recipient shall prepare a final Hydrogen Safety Plan following the PNNL HSP assessment. As with the preliminary Hydrogen Safety Plan, it is up to the grant recipient to work directly with the PNNL HSP to submit the grant recipient’s final Hydrogen Safety Plan to the PNNL HSP. If the grant recipient wishes the plan to be kept confidential by the PNNL HSP, it is up to the grant recipient to work with the PNNL HSP to achieve that.

Should the grant recipient opt to not accept all of the comments from the PNNL HSP assessment, the grant recipient shall provide an explanation of their rationale to the CEC.

**Hydrogen Refueling Station Design Reviews**

If awarded under this solicitation, the grant recipient shall participate in a hydrogen refueling station design review for each station in the project with the PNNL HSP. The station design reviews shall occur before the grant recipient submits the design plans to the AHJ. Participating in these station design reviews will be a subtask under one of the technical tasks in the Scope of Work (Attachment 01) and shall be completed by the dates specified in the Schedule of Products and Due Dates (Attachment 03).

**Virtual Inspections**

If awarded under this solicitation, the grant recipient shall participate in one virtual inspection of each station in the project with the PNNL HSP. The virtual inspection shall occur when the station has been open for between 6 and 12 months. Participating in the virtual inspection will be a subtask under one of the technical tasks in the Scope of Work (Attachment 01) and shall be completed by the dates specified in the Schedule of Products and Due Dates (Attachment 03).

**Reporting Safety Incidents**

Hydrogen refueling infrastructure funded by this solicitation shall conform to the California Health and Safety Code Section 25510(a). Recipients of funding under this solicitation for hydrogen refueling infrastructure projects shall submit report(s) of any unintended hydrogen releases to the [Certified Unified Program Agency (CUPA](http://cersapps.calepa.ca.gov/Public/Directory)), <https://dtsc.ca.gov/certified-unified-program-agencies-cupa/>, and the CEC. Recipients of funding under this solicitation shall also report safety incidents using the NREL Data Collection Tool (Attachment 10).

Recipients of funding under this solicitation for hydrogen refueling infrastructure projects shall include the PNNL HSP in any fact-finding or investigation of any safety incident.

Should the grant recipient not follow the requirements for reporting safety incidents, the CEC, without limitation of any other rights, reserves the right to cancel the grant recipient’s agreement funded by this solicitation.

## Eligible Project Costs

Costs incurred for the following are eligible for CEC reimbursement or as the Applicant’s match share.

Eligible reimbursable costs are limited to actual, allowable expenditures only. Eligible reimbursable costs include:

1. For Electric Vehicle Charging Infrastructure:
* Electric vehicle supply equipment
* Transformers
* Electric panels
* Conduit
* Wiring
* Photovoltaic solar panels separately metered for electric charging
* Commercially available renewable distributed energy resource (DER) equipment for supplying power to EV chargers for vehicle charging
* Commercially available battery energy system storage equipment
* Meters
* Point of Sale Systems
* Stub-outs
* Installation costs
* Demand management equipment
* Planning and engineering design
* Network agreement with network provider
* Commissioning
* Utility service upgrades
* Project management
* Engagement and outreach
* Electric vehicle infrastructure workforce development and training

*Eligible reimbursable costs for project management, engagement and outreach, and electric vehicle infrastructure workforce development and training may not exceed 5% of total CEC grant funds.*

1. For Hydrogen Refueling Infrastructure:
* Compressors
* Cryogenic pumps
* Point of Sale systems
* Dispenser with hose and nozzles
* High pressure hydrogen storage tubes
* Installation costs
* Planning and engineering design
* Commissioning
* Liquid hydrogen storage tanks / cryogenic tanks
* Project management
* Engagement and outreach
* Hydrogen refueling infrastructure workforce development and training

*Eligible reimbursable costs for project management, engagement and outreach, and hydrogen refueling infrastructure workforce development and training may not exceed 5% of total CEC grant funds.*

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

* Processes to comply with otherwise applicable legal requirements (e.g., permits from AHJ’s and compliance with the Americans with Disabilities Act (ADA))
	+ - * Insurance, land purchases, or land leases
			* Onsite hydrogen production equipment
			* Extended warranties to cover term of the agreement
			* Equipment maintenance for term of the agreement
* Vehicle modifications to support charging, i.e., pantograph and wireless/inductive charging applications

Utility incentives for behind-the-meter infrastructure and rebates for charging equipment may be counted towards match share.

Other state, local, and federal funding may also count towards match share. See Match Funding Requirements below.

Costs incurred for cost for transportation of fuel and costs of off-site fueling infrastructure are **ineligible** for reimbursement and match share cost.

**Ineligible Projects and Costs**

The following project types and costs are **NOT** eligible for funding under this solicitation:

* Market, literature, or technology surveys, or meta-analysis studies
* Basic research and development
* Tests for regulatory compliance
* Marketing and promotional activities
* Software development with no research or validation component
* Lab-scale research and validation
* Research and development
* Proof of functions
* Projects that do not deploy chargers or the related infrastructure to support MDHD ZEV charging
* Vehicle purchases
* Nonrenewable DERs
* Distribution grid or other equipment costs that are otherwise covered by programs or tariff rules of the electric utilities
* Projects that are mandated by any local, regional, state, or federal law, rule, or regulation
* Vehicle demonstration costs

**NOTE: Costs incurred prior to executing an agreement will not be reimbursed by the CEC.**

## Match Funding Requirements

1. **Total Match Share Requirement**

Applications must include a minimum total match share of at least 25 percent of total project costs 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, grant 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. The grant recipient shall incur match share expenditures at least at the same rate as CEC funds.
9. 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.
10. **Cash Match Share Requirement**

Applications must include a minimum **cash** contribution equal to **at least 25 percent** of the total minimum match share contributions.

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.

A table providing examples of how to calculate total project costs, total minimum match share, and minimum cash match is included below.

|  |  |  |  |
| --- | --- | --- | --- |
| **Total Project Costs** | **CEC Funds Requested** | **Total Minimum Match Required**  | **Minimum Cash Match Required** |
| $2,666,667 | $2,000,000 | $666,667 | $166,667 |
| $6,666,667 | $5,000,000 | $1,666,667 | $416,667 |

1. **In-Kind Match Share**

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

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.

1. **Match Share Restrictions**
2. ***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.
3. ***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.
4. ***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.
5. ***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.
6. ***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.

1. ***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.
2. ***Forgone Rent*** – For example, rent that is not paid is not an allowable item of cost.
3. ***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.
4. ***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.
5. ***Vehicles*** – Only the vehicle costs explicitly listed in Section II.C are allowable items of match share. All other vehicle costs, including vehicle depreciation, are unallowable items of cost and may not be used as match share.

# 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/), 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 04, 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 can’t 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.

## Page Limitations

The total number of pages for an Application is limited to 20 pages. The Table of Contents, resumes, Scope of Work, Schedule of Products and Due Dates, Budget forms, contact list, letters of support/commitment, CEQA worksheet, Past Performance Reference Forms, and Localized Health Impacts Information forms 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. The items that have “N/A” in the “Attachment Number” column are required to be submitted as part of the application package, but do not have an associated attachment provided in this solicitation package.

|  |  |
| --- | --- |
| **Item** | **Attachment Number (if applicable)** |
| Project Narrative | N/A |
| Scope of Work | Attachment 01 |
| Schedule of Products and Due Dates | Attachment 03 |
| Budget Forms | Attachment 04 |
| Resumes (2 pages maximum per person) | N/A |
| Contact List | Attachment 05 |
| Letters of Support/Commitment (2 pages maximum per letter)  | N/A |
| CEQA Worksheet | Attachment 06 |
| Localized Health Impacts Information Form | Attachment 07 |
| Past Performance Reference Form(s) | Attachment 08 |
| Applicant Declaration | Attachment 09 |

1. **Applicant Certifications**

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

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

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

The Project Narrative is limited to 20 pages and must include a table of contents (which will not count towards the page limitations) and a detailed description of the proposed project, its operational goals and objectives, and an explanation of how these will be implemented through the tasks described in the Scope of Work.

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

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

1. **Team Experience, Qualifications, and Resources**
	1. Describe how the project team’s qualifications, experience, capabilities, and credentials are suitable to the tasks described in the proposed Scope of Work and will lead to the successful completion of the project.
	2. Describe the team structure and how various tasks will be managed and coordinated, including how the facilities, infrastructure, and resources available to the team will directly support completion of the project.
	3. Describe how the Applicant and/or project team was involved in the design and development of, or identified within, the Final Blueprint resulting from GFO-20-601.
	4. Describe the project team’s history of successfully completing charging and/or hydrogen refueling infrastructure projects and commercializing and/or deploying results/products.
* If the description of the project team’s history includes a specific project(s) under current or prior agreements with the CEC and/or other public agencies (e.g., contract, grant, or loan), the Applicant must submit a Past Performance Reference Form (Attachment 08) for the project(s), even if the team member is not the primary Applicant.
	1. If Applicant and/or project team have received an award(s) from a prior CEC solicitation(s), the Applicant must describe how the requirements of the agreement(s) have been successfully fulfilled or are being successfully fulfilled.
1. **Project Readiness and Implementation**
	1. Describe the actions and milestones needed for installation and deployment of MDHD charging or hydrogen refueling infrastructure.
* The optimal location(s) for infrastructure installation have been identified in the completed, submitted, and CEC-approved MDHD Final Blueprint document.
* The proposed project is described within the completed, submitted and CEC-approved Final MDHD Blueprint, with references to, but not limited to, potential site locations, identification of fuel type, and number and types of infrastructure to be installed.
	1. Describe how the Applicant and/or project team will work with local utilities, permitting agencies, and/or other stakeholders to ensure the project progresses and completes in a timely manner, including how potential utility rate increases will be addressed.
		+ - If permitting has not been completed, applications must include a permitting schedule that ensures successful project completion within the timeframes specified in this solicitation.
	2. Describe the progress towards achieving compliance under CEQA.
		+ - If CEQA compliance has not been obtained, applications must include a schedule to complete CEQA activities for the proposed project, as well as discuss the results of communications or in-person meetings with the Lead Agency. See item 9 below for the requirements for CEQA.
	3. Describe the proposed project site, and document site control. Site control includes, but is not limited to leases, ownership, or access rights.
	4. Describe the support or commitment from outside stakeholders (such as site hosts, project partners, match funding, or others) for the proposed project.
	5. Describe thorough safety, maintenance, and training procedures that will be in place for the proposed project.
	6. Describe the team’s approach to address risks, barriers, and limitations that are critical for the success of the project (e.g., loss of site).
	7. Describe the ability for the project and equipment to operate beyond the term of the funding agreement.
	8. Describe how the tasks in the Scope of Work and the dates in the project schedule are complete, sequential, and will lead to successful and scheduled completion of the project.
1. **Project Budget**
	1. Describe the need for CEC funding, calculation of CEC cost per nozzle/charger including an explanation of how the cost is minimized, and why the proposed project is not adequately supported by the private sector.
	2. Describe the types and amounts of administrative costs to be incurred, including the team’s approach and ability to control and minimize administrative costs while ensuring effective and successful project implementation.
	3. Describe cost-savings strategies, known or expected risks or budget contingencies and how those will be addressed.
	4. Describe any match committed in-kind or cash support from the project team or other organizations.
2. **Economic, Social, and Environmental Benefits**
	1. Describe how the project directly increases local and regional economic activity.
	2. Describe how the project will result in job creation within California. Indicate the types and quality of jobs created.
	3. Describe how the project will provide air quality benefits, as well as health and safety, access and education, and economic development particularly to those in rural areas and disadvantaged and/or low-income communities as described by CalEnviroScreen 4.0.
	4. Describe how the project reduces total greenhouse gas (GHG) emissions (quantified in metric tons) and quantify the benefit-cost score of the proposed project, defined as the ratio of grams of CO2 equivalent reduction per dollar of CEC investment. Applicants should state the source of CO2 equivalent reductions resulting from their project as compared to a conventional solution. Examples include, but are not limited to:
		* + CO2 equivalent reductions from enabling additional electric miles traveled compared to a conventional solution.
			+ CO2 equivalent reductions from shifting electric vehicle charging to a time of day when the electricity grid’s carbon intensity is lower.
			+ CO2 equivalent reductions from using renewable energy and/or distributed energy resources to charge electric vehicles.
	5. Describe how the project is supported by community-based organizations, environmental justice organizations, or other partners, and how the project will lead to increased equity within the local community.
	6. Describe how the project will provide cost savings to a variety of stakeholders, including drivers, site hosts, and utilities.
3. **Sustainability**
	1. Describe how the project will address resiliency to carry out the goals of the project during an emergency, contribute to improving resiliency in the State’s grid, and respond to extreme weather events and other emergencies.
	2. Describe how the project will result in cost-effective solutions in terms of energy savings, infrastructure reliability, potential increased electricity and/or hydrogen fuel demand, hydrogen, and electricity cost savings.
	3. Describe how the project will source for and dispense renewable hydrogen, if applicable and proposed for the project.
4. **Scope of Work (Attachment 01)**

Applicants must include a completed Scope of Work utilizing the template contained in Attachment 01. Instructions for completing the Scope of Work as well as a sample are included in Attachment 02. The description of activities proposed in the Project Narrative must conform to the tasks described in the Scope of Work. Electronic files for the Scope of Work must be in MS Word.

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

1. **Schedule of Products and Due Dates (Attachment 03)**

Applicants must include a completed Schedule of Products and Due Dates. All work must be scheduled for completion by no later than **March 31, 2028,** 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 04. The Schedule of Products and Due Dates must be in MS Excel.

1. **Budget Forms (Attachment 04)**

Applicants must provide budget form(s) that are complete for the Applicant and all subrecipients.

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

1. **Option 1: Prime Applicant’s budget is both keyed directly into ECAMS and uploaded as an MS Excel attachment; Major Subrecipient(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>.
2. **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 04.
2. 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).

1. The information provided in these forms will not be kept confidential.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.

1. The Budget must reflect estimates for actual costs to be incurred during the approved term of the agreement. CEC can only approve and reimburse for actual costs that are properly documented in accordance with the grant agreement terms and conditions.
2. Applicants shall NOT budget for, and CANNOT be reimbursed for, more than their actual allowable expenses (i.e., the budget cannot include profit, fees, or markups) under the agreement. Subrecipients (all tiers) are allowed to include up to a maximum total of 10% profit, fees, or mark-ups on their own actual allowable expenses less any expenses budgeted to sub-subrecipients (i.e., profit, fees and markups are not allowed on lower tier subrecipient expenses). For example, if a subrecipient has $100,000 in actual allowable costs but has budgeted $20,000 to a sub-subrecipient, then the subrecipient can only include up to 10% profit on $80,000 ($100,000 minus $20,000). See terms and conditions for additional restrictions and requirements.

**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.

1. **Resumes**

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

1. **Contact List (Attachment 05)**

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

1. **Letters of Support/Commitment**

Applicants must include appropriate letters of commitment and may provide letters of support. 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. Letters are limited to 2 pages each.

* 1. **Station Site Owner Letter of Commitment (required):**

Applications must include a letter of commitment from the current owner of the site for each proposed station location. The letter must be signed and dated by the site owner or representative who is duly authorized to commit the site as a location of a station. The letter must also contain a telephone number and email address to allow the CEC to contact the site owner or representative to confirm the commitment and authority to commit to the proposed project. If a proposed site is owned AND operated by the same entity or individual, the letter shall state so.

* 1. **Station Site Operator Letter of Commitment (required):** If a proposed site is operated by a different entity or individual than the site owner, applications must also include a letter of commitment from the current operator of the site for each proposed station location. The letter must be signed and dated by a representative of the site operator and must contain a telephone number and email address to allow the CEC to contact the site operator to confirm support commitment to the proposed project.
	2. **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.
	3. **Match Share Contributors Letters of Commitment (required, Applicant and third party):** Any match share contributors must identify the intended amount of match that will be committed to the project, the funding source(s), and state that the match share contributor will provide the identified match funding. Letters of commitment from third party match share contributors must contain a telephone number and email address to allow CEC to contact the match share partner or representative to confirm their authority to commit matching funds to the proposed project.
	4. **Letters of Support (optional):** Applicants are encouraged to submit letter(s) of support that substantiate the estimated demand and/or the potential benefits of the proposed project. Third-party letters of support can be provided by but are not limited to air districts, state or federal agencies, local safety officials, potential users of the proposed project, and any other relevant organizations.
1. **CEQA Worksheet (Attachment 06)**

Applicants must include a completed CEQA Worksheet. 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 Worksheet and submit it with their application. This worksheet will help Applicants and CEC to determine CEQA compliance obligations by identifying which projects may require more extensive CEQA review. Failure to complete the worksheet may lead to disqualification of the application.

Applicants are encouraged to provide documentation of communication with the local lead agency, if one exists (e.g., a county or city). Documentation such as a completed notice of exemption, a letter from the local agency acknowledging 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) from the local agency explaining why CEQA review is not required.

1. **Localized Health Impacts Information Form (Attachment 07)**

Applicants must complete and submit a Localized Health Impacts Information Form. CEC requires this information to assist in developing and publishing a localized health impact report.

1. **Past Performance Reference Form(s) (Attachment 08)**

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.

1. **Applicant Declaration (Attachment 09)**

This form requests the Applicant declare that they: are not delinquent on taxes nor suspended by the California Franchise Tax Board; are not being sued by any public agency or entity; are in compliance with the terms of all settlement agreements, if any, entered into with the Energy Commission or another public agency or entity; are in compliance with all judgments, if any, issued against the Applicant in any matter to which the Energy Commission or another public agency or entity is a party; are complying with any demand letter made on the Applicant by the Energy Commission or another public agency or entity; and are not in active litigation with the Energy Commission regarding the Applicant’s actions under a current or past contract, grant, or loan with the Energy Commission. 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.

# IV. Evaluation Process and Criteria

## Application Evaluation

Applications will be evaluated and scored based on the responses to the information requested in this solicitation and on any other information available such as past performance of CEC agreements.[[1]](#footnote-2) 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.

* 1. **Screening Criteria**

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

* 1. **Administrative Screening Criteria**

| **ADMINISTRATIVE Screening Criteria** *The Application must pass ALL administrative screening criteria.* | **Pass/Fail** |
| --- | --- |
| 1. The application is received by the due date and time specified in the “Key Activities Schedule” in Section I of this solicitation.
 | [ ]  Pass [ ]  Fail |
| 1. The Applicant has not included a statement that is contrary to the required authorizations and certifications when submitting in ECAMS.
 | [ ]  Pass [ ]  Fail |
| 1. The Application includes Commitment Letters that commit to a total match share of at least 25% of the total project costs.
 | [ ]  Pass [ ]  Fail |

* 1. **Technical Screening Criteria**
	2. The Applicant is an eligible Applicant.
	3. The project is an eligible project.
	4. The project meets the minimum match share requirement.
	5. The Applicant passes the past performance screening criterion.
	6. **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 issuesare characterized by significant negative outcomes under an agreement and may include:

* + Agreement was terminated with cause.
	+ CEC filed litigation against the Applicant.
	+ Severe audit findings are not resolved to CEC’s satisfaction. Severe audit findings may include but 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.
	1. **Grounds to Reject an** **Application or Cancel an Award**

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

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

Applications passing all screening criteria will be submitted to the Evaluation Committee to review and score based on the Evaluation Criteria 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 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 Section I.L. 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

Applications that pass administrative and technical screening will be scored based on the following scoring criterion.

The total score for each application will be the average of the combined score of all Evaluation Committee members. Only applications that receive a 70 percent or higher in total overall score will be eligible for CEC funding.

|  |  |
| --- | --- |
| **Criterion** | **Possible Points** |
| **Team Experience, Qualifications, and Resources**Applications will be evaluated on the degree to which:* The project team’s qualifications, experience, capabilities, and credentials are suitable to the tasks described in the proposed Scope of Work and will lead to the successful completion of the project.
* The team structure and how various tasks will be managed and coordinated are addressed, including how the facilities, infrastructure, and resources available to the team will directly support completion of the project.
* The Applicant and/or project team was involved in the design and development of, or is identified within, the Final Blueprint resulting from GFO-20-601.
* The Applicant and/or project team has a history of successfully completing and deploying zero-emission vehicle infrastructure projects.
* The Applicant and/or project team has demonstrated exceptional administrative and technical performance under existing or prior funding agreements (funded by the CEC and/or other public agencies), including:
	+ - Adherence to schedule and due dates.
		- Effective and timely issue resolution.
		- Quality of deliverables.
		- Objectives of past projects have been attained.
		- Honest, timely, and professional communication with staff from the funding entity.
		- Effective coordination with project partners, subcontractors, and other stakeholders.
		- Timely and accurate invoicing.
 | 15 |
| **Project Readiness and Implementation**Applications will be evaluated on the degree to which:* The actions and milestones needed for installation and deployment of MDHD charging or hydrogen refueling infrastructure are identified.
	+ The completed, submitted and CEC-approved Final MDHD Blueprint identifies optimal locations for charging or refueling infrastructure deployment and the rationale for being considered optimal.
	+ The proposed project is described within the completed, submitted and CEC-approved Final MDHD Blueprint, with references to, but not limited to, potential site locations, identification of fuel type, and number and types of infrastructure to be installed.
* The Applicant and/or project team will work with local utilities, permitting agencies, and/or other stakeholders to ensure that the project progresses in a smooth and timely manner, including but not limited to ensuring:
	+ Proof of engagement with utilities to support grid delivery, reliability, and resiliency.
	+ A plan that adequately addresses impacts of increased charging on utility rates.
	+ The required permitting for the proposed project will be completed in a timely manner.
* The proposed project has documented progress towards achieving compliance under CEQA.
	+ Proof of engagement with local authorities having jurisdiction and planning organizations to ensure they are involved in the planning and permitting of the infrastructure.
* The Applicant demonstrates control of the project site.
* Letters of support or commitment letters (from site hosts, project partners, match funding, or others) that indicate a strong level of support or commitment for the proposed project are available.
* Thorough safety, maintenance, and training procedures are in place for the proposed project.
* Risks, barriers, and limitations that are critical for project success (e.g., loss of site) are addressed.
* The proposed project and equipment are expected to operate beyond the term of the CEC’s funding agreement.
* The Scope of Work is complete and demonstrates a clear path to successful implementation of the proposed project.
 | 40 |
| * **Project Budget**

Applications will be evaluated on the degree to which:* The proposed project demonstrates the need for CEC funding for successful completion of the project.
* CEC costs per nozzle/charger are minimized.
* The proposed project budget minimizes administrative and overhead costs while ensuring effective and successful project implementation.
* Cost-saving strategies, known or expected risks, and budget contingencies are identified and addressed.
* The match funding commitments are documented, verifiable, and necessary to support the successful completion of the project.
 | 15 |
| **Economic, Social, and Environmental Benefits**Applications will be evaluated on the degree to which:* The proposed project directly increases local and regional economic activities.
* The proposed project will result in the creation of high-quality in-state jobs.
* The proposed project will provide air quality benefits, as well as health and safety, access and education, financial benefits, and economic development to California’s rural areas and disadvantaged and low-income communities as described by CalEnviroScreen 4.0
* The proposed project reduces total GHG emissions (quantified in metric tons), and the benefit-cost score, defined as the ratio of grams of CO2 equivalent reduction per dollar of CEC investment is quantified.
* The proposed project is supported by community-based organizations, environmental justice organizations, or other partners. The project will lead to increased equity, and is both feasible, and commercially viable in the identified low-income and/or disadvantaged communities.
* The proposed project provides cost savings to a variety of stakeholders, including drivers, site hosts, and utilities.
 | 20 |
| **Sustainability**Applications will beevaluated on the degree to which:* The proposed project addresses resiliency in order to carry out the goals of the project during an emergency.
* The proposed project will result in cost-effective solutions in terms of energy savings, infrastructure reliability, potential increased electricity and/or hydrogen fuel demand, hydrogen, or electricity cost savings.
* The proposed project will source for and dispense renewable hydrogen, if applicable and proposed for the project.
 | 10 |
| **Total Possible Points** | 100 |
| **Minimum Passing Score (70%)** | 70 |

## Tie Breakers

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

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# V. Administration

## Definition of Key Words

Important definitions for this solicitation are presented below:

|  |  |
| --- | --- |
| **Word/Term** | **Definition** |
| AB | Assembly Bill |
| ADA | Americans with Disabilities Act |
| AHJ | Authority having jurisdiction |
| Applicant | Respondent to this solicitation |
| Application | Formal written response to this document from Applicant |
| CAM | Commission Agreement Manager |
| CAO | Commission Agreement Officer |
| CEC | California Energy Commission |
| CEQA | California Environmental Quality Act |
| CO2 | Carbon Dioxide |
| DERs | Distributed Energy Resources, which are small, modular, energy generation and storage technologies that provide electric capacity or energy. |
| Disadvantaged Communities | Communities within census tracts scoring in the top 25 percent in CalEnviroScreen 4.0 (https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40) |
| ECAMS | Energy Commission Agreement Management System |
| EMS | Energy Management System |
| EV | Electric vehicle, which is a vehicle that is either partially or fully powered on electric power received from an external power source. |
| EVITP | Electric Vehicle Infrastructure Training Program. AB 841 requires EVITP training and certification to install EV charging infrastructure and equipment that is on the customer side of the electrical meter that is funded or authorized by certain state entities. |
| EVSE | Electric Vehicle Supply Equipment, which is designed to supply power to EVs. |
| EVSP | Electric Vehicle Service Provider |
| GAAP | Generally Accepted Accounting Principles |
| GFO | Grant Funding Opportunity |
| GHG | Greenhouse Gas |
| HSP | Hydrogen Safety Panel |
| IEEE | Institute for Electrical and Electronics Engineers |
| kW | Kilowatt |
| kWh | Kilowatt-hour |
| Low-Income Community | Communities within census tracts with median household incomes at or below 80 percent of the statewide median income or the applicable low-income threshold listed in the state income limits updated by the Department of Housing and Community Development. (https://www.hcd.ca.gov/state-and-federal-income) |
| MDHD | Medium-Duty and Heavy-Duty |
| NFPA | National Fire Protection Association |
| NOPA | Notice of Proposed Award, a public notice by the CEC that identifies an award recipient(s) |
| NOx | Oxide of nitrogen |
| NREL | National Renewable Energy Laboratory |
| PNNL | Pacific Northwest National Laboratory |
| Project Partner | An entity or individual that contributes financially or otherwise to the project (e.g., match funding, provision of a test, demonstration, or deployment site), and does not receive CEC funds. |
| Recipient | An entity receiving an award under this solicitation. |
| SB | Senate Bill |
| Solicitation | Grant Funding Opportunity, which refers to this entire solicitation document and all its attachments and exhibits |
| State | State of California |
| ZEV | Zero-Emission Vehicle |

## 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. 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. The CEC’s waiver shall in no way modify the application or excuse an Applicant proposed for funding from full compliance with solicitation requirements.

## Disposition of Applicant’s Documents

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

## Applicants’ Admonishment

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

## Agreement Requirements

The content of this solicitation shall be incorporated by reference into the final agreement. See the standard terms and conditions on the CEC Funding Resources page at: <https://www.energy.ca.gov/funding-opportunities/funding-resources>. This information is also in Section II.A.2.

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 standard 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. The Past Performance Evaluation is available on the CEC website at: https://www.energy.ca.gov/media/6595 [↑](#footnote-ref-2)