# **Questions and Answers**

**California’s National Electric Vehicle Infrastructure Formula Program
Solicitation #1**

**GFO-23-601**

**December 21, 2023**

The following answers are based on California Energy Commission (CEC) staff’s interpretation of the questions received. It is the Applicant’s responsibility to review the solicitation and to determine whether their proposed project is eligible for funding per the Eligibility Requirements within the solicitation. The CEC cannot give advice as to whether a particular project is eligible for funding, because not all proposal details are known.

**Project Requirements**

**Q1.** **What are the requirements for bathrooms and lighting?**

A1. GFO-23-601 requires charging stations and parking areas be well lit (Application Manual Section II.B.8.), however, it does not have requirements for bathrooms or other travel amenities as seen in the [National Electric Vehicle Infrastructure Standards and Requirements](https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements) at https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements and their costs are not eligible for NEVI reimbursement or match funds. It is up to the Applicant to provide details in the Charging Station Design criterion (Application Manual Section III.D.2.a.).

**Q2.** **Must applications complete entire corridor groups?**

A2. Yes. Applications must propose to complete the entire corridor group it proposes to address, deploying the minimum number of new charging stations as well as the exact total number of new Combined Charging System (CCS) charging ports for each segment within the corridor group, as identified in Table 2 (Application Manual Section II.B.) in their application.

**Q3.** **Are existing EV charging locations eligible?**

A3. Yes. To be eligible, existing EV charging station locations must:

* Be located within one mile of the corridor segment.
* Not replace any chargers that were previously funded by the CEC.
* Meet all other requirements listed in Section II.B. of the Application Manual.

**Q4.** **What is the Justice40 and Disadvantaged Community (DAC) and/or Low-Income Community (LIC) requirement?**

A4. Applications must have a minimum of 50% of the deployed chargers physically located in a Disadvantaged Community (DAC) and/or Low-Income Community (LIC) and 40% within a Justice40 Community (Application Manual Section II.B.3.). Please review [California's NEVI Funding Program Map](https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-nevi-formula-program-0) at https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-nevi-formula-program-0 for more information. For additional information on DAC/LIC and Justice40, please review:

* + [California Climate Investment Priority Populations 2022 CES 4.0](https://gis.carb.arb.ca.gov/portal/apps/experiencebuilder/experience/?id=6b4b15f8c6514733972cabdda3108348) at <https://gis.carb.arb.ca.gov/portal/apps/experiencebuilder/experience/?id=6b4b15f8c6514733972cabdda3108348> for DAC/LIC mapping;
	+ [Electric Vehicle Charging Justice40 Map](https://anl.maps.arcgis.com/apps/webappviewer/index.html?id=33f3e1fc30bf476099923224a1c1b3ee) at https://anl.maps.arcgis.com/apps/webappviewer/index.html?id=33f3e1fc30bf476099923224a1c1b3ee for Justice40 mapping, and;
	+ Justice40 general information on the Department of Energy’s website at <https://www.energy.gov/justice/justice40-initiative>.

**Q5.** **Does a NACS connector with CCS adapter count as a permanently attached CCS connector?**

A5. A NACS connector is eligible if it has a permanently attached CCS adapter per each charging port (Application Manual Section II.B.10.). All chargers must meet the minimum requirements in the [National Electric Vehicle Infrastructure Standards and Requirements](https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements) found at https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements.

**Q6.** **Is biogas used to power distributed energy resources eligible?**

A6. No. Eligible DERs include solar photovoltaic and wind and if desired can be coupled with a battery energy storage system. Any of these systems must be interconnected to the charging system and must be separately metered from the site host's regular business meter.

**Q7.** **What are the minimum preliminary charging station design requirements?**

A7. GFO-23-601 does not define minimum requirements for preliminary charging station design. It is up to the Applicant to decide how much detail to provide with the understanding that, all other aspects being equal, an application with more information about charging station design may score higher in its evaluation based on the level of detail and amount of work that has already been completed at the time of submitting the application than an application that provides less information. This evaluation criteria can be found in Charging Station Design and Project Readiness (Application Manual Section III.D.2.). All chargers must meet the minimum requirements in the [National Electric Vehicle Infrastructure Standards and Requirements](https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements) found at https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements.

**Q8.** **How many charging ports and stations are required in each corridor?**

A8. Table 2 (Application Manual Section II.B.) shows the required number of new charging stations and the total number of new CCS charging ports for each corridor segment. Additional charging ports may be installed but are not allowed to be in the agreement budget (as NEVI reimbursement or match funds), or scope of work, and will not be evaluated.

**Q9.** **If an awardee upgrades a charging station with four charging ports to a charging station with ten charging ports, does that count as six ports (the difference) or ten ports (the total) towards the total charging port requirement?**

A9. Table 2 (Application Manual Section II.B.) defines the total number of new CCS charging ports that must be installed. In this example, the charging station would count as six new charging ports if the existing four charging ports are not NEVI-compliant and are not replaced or upgraded. If the existing four charging ports were not NEVI-compliant and are replaced or upgraded to be NEVI-compliant in addition to six new charging ports being installed, then those four charging ports would also count toward the required total, bringing the total number of new charging ports in this example to ten. If the pre-existing four charging ports were already NEVI-compliant, they are already being counted as part of the existing NEVI-compliant charger network, and only the six new NEVI-compliant charging ports would be counted under this example project.

**Q10.**  **What is the minimum distance where charging stations must be located from the required interchange locations where the corridors intersect?**

A10. Required locations, as seen listed in Table 3 (Application Manual Section II.B.), must be within one mile, as a car drives by the shortest route (Application Manual Section II.B.2.) of both corridors. This requirement is clarified in the Application Manual Addendum 1.

**Q11. What does the CEC mean by "South" in its description of the corridors?**

A11. In Table 2: Corridor Group Details (Application Manual Section II.B.), the description of corridor group 6A is “I-5: South of Sacramento to Kettleman City,” and the description of corridor group 6B is “I-5: South of Kettleman City to Santa Clarita.” The meaning of “South” in these instances is that the northernmost NEVI-compliant charging stations installed for these corridor groups must be south of the city limits of the named city. For example, the northernmost NEVI-compliant charging station for corridor group 6A must be south of the city limits of Sacramento. To clarify the northernmost point as being south of Sacramento, corridor group 6A has been updated in [California's NEVI Funding Program Map](https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-nevi-formula-program-0) at https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-nevi-formula-program-0.

**Applicant Requirements**

**Q12.**  **Can public entities apply to this solicitation?**

A12. No. Eligible applicants must be private entities (Application Manual Section II.A.). However, public entities can partner with an eligible applicant or be a subrecipient for a project under an eligible applicant’s application.

**Q13.** **Can a private non-profit organization apply?**

A13. If a non-profit organization is a private entity and meets all the Applicant Requirements (Application Manual Section II.A.), it is eligible to apply.

**Q14.** **Can a car dealership be an eligible applicant?**

A14. If a car dealership is a private entity meeting the requirements listed in Applicant Requirements (Application Manual Section II.A.), it could be an eligible applicant.

Applicants must propose projects that deploy at least the minimum number of new charging stations and total number of new charging ports for each corridor segment within one of the corridor groups listed in Table 2 (Application Manual Section II.B.). The Awardee is the sole entity responsible for full compliance of the agreement, including the six years of 97% uptime at every charging station within the project. In this example, that car dealership would need to propose to complete the entire corridor group and not just a single location.

In terms of a car dealership being an eligible charging station**,** if the dealership’s location meets the requirements of Project Location (Application Manual Section II.B.2.) for a corridor group, it could be one eligible charging stationfor that corridor group.

**Q15.**  **What are the requirements related to subcontractors?**

A15. Please see the terms and conditions posted with this grant funding opportunity, which include requirements for subcontractors. Applicants must make sure to follow all the Federal NEVI requirements (Application Manual Section II.B.1.). Applicants should familiarize themselves with all federal requirements including and not limited to labor laws, nondiscrimination, and procurement rules.

The Project Team requirements (Application Manual Section II.B.9.) also details that the Applicant’s project team must include at least one subcontractor that meets the Experienced Contractor definition, which is defined as a company or organization with a proven record of accomplishment of overseeing the procurement, permitting, and installation of at least 20 DC fast chargers and completed at least three or more different property locations for three or more different customers since January 1, 2018.

The Electric Vehicle Infrastructure Training Program (EVITP) requirements (Application Manual Section II.B.12.) details the requirements and California State law that requires at least 25% of the installation electricians at each charging stationbe EVITP certified.

AB 2974 Small Business Requirements (Application Manual Section II.B.14.) requires that at least 25% of the overall NEVI funding be allocated to small businesses; equipment and materials are excluded, but the total funding related to direct labor, fringe benefits, indirect overhead, sub awardees, or vendors should see at least 25% allocated to small businesses.

**Application Evaluation**

**Q16.** **Will an applicant lose points if it does not have an Experienced Contractor selected and named in the application, and instead does a competitive bid for an Experienced Contractor if awarded?**

A16. Applications will be evaluated by what is provided in the application’s Project Narrative and the degree to which the Applicant responds to each question detailed in the Evaluation Criteria (Application Manual Section IV.E.). An Applicant must state how it will meet the Experienced Contractor requirement in its application if it does not meet the Experienced Contractor requirement at the time of its application.

**Q17.** **Will applications with distributed energy resources (DER) be favored more than projects without?**

A17. Renewable DERs as defined in the answer to Q6 in this Q&A will be considered in the evaluation criteria such as Innovation and Sustainability (Application Manual Section IV.E.). All evaluation criteria will be reviewed and scored in the evaluation phase, including how renewable DERs may impact the benefits and cost of the overall project.

**Q18.** **Does the CEC have a preferred method for applicants to calculate the greenhouse gas reductions per NEVI dollar?**

A18. While not required, Applicants may use the GREET model tool to calculate GHG emissions. The [tool](afdc.energy.gov/tools) is also available on the Alternative Fuels Data Center’s Tools Page at afdc.energy.gov/tools.

Applicants can also use the California Air Resources Board’s [calculation methodology](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fww2.arb.ca.gov%2Four-work%2Fprograms%2Flow-carbon-fuel-standard%2Flcfs-guidance-documents-user-guides-and-faqs%23guidance&data=05%7C01%7C%7C6204994e435448ad161d08dbf5d6e0db%7Cac3a124413f44ef68d1bbaa27148194e%7C0%7C0%7C638374075478784399%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=oZ1Wfc7kb2uT8Uf4ObM7O%2B08w3KjhbfOlZIZNCBs7Oo%3D&reserved=0) for guidance at https://ww2.arb.ca.gov/our-work/programs/low-carbon-fuel-standard/lcfs-guidance-documents-user-guides-and-faqs#guidance.

**Q19.** **When should the project be open for operation? Will this aspect affect the competitiveness/scoring of the application?**

A19. The charging stationsshould be operational and open for public use within 5 years of the execution date (Application Manual Section III.D.4.). Projects will be evaluated based on the level of detail the Applicant provides in their project narrative while addressing the questions in the Evaluation Criteria (Application Manual Section IV.E.).

**Q20.** **Will applications that focus on infrastructure for medium- and heavy-duty vehicles (in addition to light-duty vehicles) be scored lower than those that prioritize light-duty vehicles?**

A20. Applications must primarily serve and provide all required infrastructure for light-duty vehicles. Applications can describe the multi-use potential of proposed projects under the Innovation and Sustainability evaluation criterion (Application Manual Section IV.E.6).

**Eligible Costs**

**Q21.**  **What utility upgrade costs are eligible?**

A21. Utility upgrade costs such as transformers, electric panels, conduit, wiring, meters that are billed to the Applicant or subcontractor(s), and which fall under eligible project cost categories as specified in Application Manual Section II.B.20, and which have not nor will be paid for through a utility program, tariff, or other ratepayer funding, may be eligible costs for NEVI reimbursement or match funds. Distribution grid or other equipment costs that are otherwise covered by programs or tariff rules of the electric utilities are not eligible for NEVI reimbursement or match funds (Application Manual Sections II.B.20 and II.D).

**Miscellaneous**

**Q22.** **Can the CEC recommend a grant writer for preparing applications?**

A22. No. The CEC cannot make such a recommendation. Prospective Applicants may use the [NEVI Matchmaker Tool](https://forms.office.com/g/x3UJPUhsjQ) at https://forms.office.com/g/x3UJPUhsjQ and [Empower Innovation](https://www.empowerinnovation.net/) at https://www.empowerinnovation.net/ to identify prospective application partners.

**Q23.** **Can the CEC provide Shapefiles?**

A23. The Geographic Information Systems (GIS) Shapefiles used to create California’s NEVI Formula Program Map are available on the [NEVI GIS Data](https://cecgis-caenergy.opendata.arcgis.com/search?q=NEVI) page at https://cecgis-caenergy.opendata.arcgis.com/search?q=NEVI. Additional information about [California’s NEVI Formula Program Map](https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-nevi-formula-program-0) is available at https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-nevi-formula-program-0.

**Q24.** **Is there any prohibition on applying for federal tax credits?**

A24. No. There are no restrictions against applying for federal tax credits; however, federal tax credits may not be claimed as match funding.

**Q25.** **If the EV charging stations total is less than $1 million each, will this project be exempt from California Skilled & Trained Workforce requirements?**

A25. All awards for GFO-23-601 will be over $1 million.

**Q26.** **How and when can applicants comment on contractual language?**

A26. By applying to this solicitation, the applicant agrees to accept the solicitation’s Terms and Conditions (Attachments 7 and 8) without negotiation. (See Application Manual Section III.D.1.) At the time of application, Applicants must provide Applicant Certifications, one of which is certifying that Applicants are willing to enter into an agreement with the CEC to conduct the proposed project according to the Terms and Conditions without negotiation.

**Q27.** **Will there be a second Q&A period for this solicitation?**

A27. No.

**Q28.**  **Would the CEC provide notification of any noncompliance and an opportunity to cure prior to termination of the Agreement?**

A28. Please refer to the terms and conditions posted with this solicitation, and which will be part of resulting grant agreements, for termination and notification options. Specifically, please see Exhibit C NEVI Terms and Conditions, Section 13, Termination.

**Q29.**  **Would the CEC consider limiting liability related to noncompliance with the Agreement, excepting violation of law, to the amount of federal funding awarded?**

A29. No.

**Q30.**  **If the responses from potential bidders’ questions materially change the requirements in the solicitation’s Application Manual, would the CEC consider extending the proposal due date?**

A30. No. Applications are due by January 26, 2024, by 11:59 p.m.

**Future NEVI Solicitations**

**Q31.** **When will the CEC release the next NEVI solicitation?**

A31. The CEC is planning to release the concepts for the next NEVI solicitation and to hold a period for public comment shortly after applications are due for this solicitation. However, this schedule is subject to change and interested parties are encouraged to join the CEC subscription list located on the [CEC NEVI homepage](https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-nevi-formula-program-0) at https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-nevi-formula-program to receive notification of future public announcements related to NEVI solicitations.

**Q32.** **When will other corridor groups become available?**

A32. The next NEVI solicitation will offer a new selection of corridor groups and is expected to be released in the second half of 2024.