**GRANT FUNDING OPPORTUNITY**

**Clean Transportation Program**

**TECHNICAL ASSISTANCE FOR ZERO-EMISSION VEHICLE (ZEV) INFRASTRUCTURE FUNDING**

**ADDENDUM 01**



GFO-24-605

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

State of California

California Energy Commission

~~November 2024~~

**February 2025**

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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 $4 million in grant funds for one or more third-party implementers to provide technical assistance (TA) for communities eligible to seek federal and state funding for zero-emission vehicle (ZEV) infrastructure. TA providers will, at minimum, assist in identifying grant opportunities, support successful application development and submittal, and support project implementation that delivers benefits in under-resourced communities.

## Background

Assembly Bill (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 and clean air goals. AB 126 (Reyes, Chapter 319, Statutes of 2023) reauthorized the funding program through July 1, 2035, and focused the program on zero-emission transportation.

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

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

The CEC is committed to providing opportunities for Justice40 communities, disadvantaged communities, low-income communities, California Native American tribes, and local governments to participate in and benefit from clean transportation projects. However, these communities often face barriers due to systemic marginalization.

* Many communities lack awareness and understanding of program goals and eligible projects.
* Communities may lack local agency staff or organizational capacity, such as staff time, financial resources, and expertise to apply for grants.
* Some may lack relationships across local agencies, partner organizations, and/or community groups.

## 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 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 lesbian, gay, bisexual, transgender, queer (LGBTQ)-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.

|  |  |
| --- | --- |
| **ACTIVITY** | **ACTION DATE** |
| Solicitation Release | November 25, 2024 |
| Pre-Application Workshop\* | December 16, 2024 |
| Deadline for Written Questions\* | January 7, 2025 |
| Anticipated Distribution of Questions/Answers | Week of [~~January 27~~] **February 17**, 2025 |
| Support for Application Submission in the Energy Commission Agreement Management System (ECAMS) until 5:00 p.m. | **Ongoing until [~~February 28]~~ March 14, 2025** |
| **Deadline to Submit Applications by 11:59 p.m.\*** | **[~~February 28~~] March 14, 2025** |
| Anticipated Notice of Proposed Awards Posting | May 2025 |
| Anticipated CEC Business Meeting | August 2025 |

## 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 $4 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.

## Maximum Award Amounts

Projects are eligible for up to $2 million.

## Maximum Number of Applications

Applicants are only eligible to submit one application under this solicitation. Applicants should not be listed as a major subrecipient on other applications.

## Pre-Application Workshop

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

**December 16, 2024**

10:00 AM

Via Zoom

## Participation Through Zoom

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

**Zoom Instructions:**

To join this workshop, go to Zoom at:

<https://energy.zoom.us/j/81725570963?pwd=rCtwjJhjdCGdeqtpQVygDAaHJowEs5.1>. 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:** 817 2557 0963

**Meeting Password:** 801173

**Topic:** Technical Assistance for Zero-Emission Vehicle (ZEV) Infrastructure Funding Workshop

**Telephone Access Only:**

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

**Access by Mobile Device:**

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

**Technical Support:**

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

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

[this website](https://support.zoom.us/hc/en-us/articles/201362023-System-requirements-for-Windows-macOS-and-Linux): <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](mailto:ECAMS.SalesforeSupport@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](mailto:ECAMS.SalesforceSupport@energy.ca.gov) at any time prior to 5:00 p.m. of the application deadline date.

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

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

Laura Williams, Commission Agreement Officer

California Energy Commission

715 P Street, 3rd Floor MS-18

Sacramento, California 95814

Telephone: (916) 879-1383

E-mail: Laura.Williams@energy.ca.gov

## Reference Documents

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

* [2023-2024 Investment Plan Update for the Clean Transportation Program](https://www.energy.ca.gov/publications/2023/2023-2024-investment-plan-update-clean-transportation-program) (CEC-600-2023-029-CMF) https://www.energy.ca.gov/publications/2023/2023-2024-investment-plan-update-clean-transportation-program.
* [Energy Commission Agreement Management System (ECAMS)](https://www.energy.ca.gov/funding-opportunities/funding-resources/ecams-resources) https://www.energy.ca.gov/funding-opportunities/funding-resources/ecams-resources.
* [Technical Assistance Toolkit – Strategic Growth Council](https://sgc.ca.gov/technical-assistance/toolkit/) https://sgc.ca.gov/technical-assistance/toolkit/.
* [CalEnviroScreen](https://oehha.ca.gov/calenviroscreen). https://oehha.ca.gov/calenviroscreen.
* [California Climate Investments Priority Populations Map](https://webmaps.arb.ca.gov/PriorityPopulations/) https://webmaps.arb.ca.gov/PriorityPopulations/.
* [U.S. Department of Transportation’s Justice40 Initiative](https://www.transportation.gov/equity-Justice40) <https://www.transportation.gov/equity-Justice40>.

# II. Eligibility Requirements

## Applicant Requirements

1. **Eligibility**

This solicitation is open to California Native American tribes, California Tribal Organizations, and all public and private entities with the exception of investor-owned utilities.

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

In addition to the applicable terms and conditions listed above, the following terms and conditions may apply to the Applicant: Special Terms and Conditions for California Native American tribes and California Tribal Organizations serving California Native American tribes with Sovereign Immunity, in addition to the standard terms and conditions; and any other special terms and conditions required by the CEC.

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.

If a California Native American tribe (Tribe) or a California Tribal Organization serving a California Native American tribe (Tribal Organization) with sovereign immunity is listed as a proposed awardee in the Notice of Proposed Awards (NOPA), CEC staff must receive the following before bringing the proposed award to a Business Meeting, (a) resolution(s) or other authorizing document(s) by the governing body of the Tribe or Tribal Organization which:

i. Authorizes the Tribe or Tribal Organization to enter into the proposed agreement, including accepting the Special Terms and Conditions for California Native American tribes and California Tribal Organizations Serving California Native American tribes with Sovereign Immunity, including the Limited Waiver of Sovereign Immunity and Consent to Jurisdiction (see Attachment 13); and

ii. Approves a limited waiver of tribal sovereign immunity, to the extent that any such sovereign immunity exists, for any and all claims by the California Energy Commission that may arise relating to this Agreement and any remedies therefore under the laws of the state of California and the laws of the United States of America; and

iii. Consents to personal jurisdiction over the Tribe or Tribal Organization, and consents to venue in any court of the State of California and any federal court sitting in the State of California; and waives any and all claim that the Tribe or Tribal Organization may have, including without limitation that such court is an inconvenient forum, for the purposes of any proceeding related to this Agreement; and, with respect to a proceeding in a court of the State of California or a federal court sitting in the State of California, any requirement that tribal remedies must be exhausted; and

iv. Delegates authority to execute the proposed agreement to an appropriate individual.

The above requirements may be provided in one or more documents. The document(s) will be included as an exhibit to the resulting grant agreement.

**Delay in award.** Any delay in the Tribe or California Tribal Organization’s ability to provide the documentation specified in sections (i)-(iv) above may result in delayed award of the grant agreement.

**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 described in sections (i)-(iv) above 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 and project team members (e.g. subrecipients and even match fund partners) are encouraged to contact the Secretary of State’s Office as soon as possible to avoid potential delays in beginning the proposed project(s) (should the application be proposed for funding). Applicants should provide the exact legal names of entities included in their applications, along with any fictitious business names. Fictitious business names must be currently valid, i.e., not expired with the Secretary of State. As part of the CEC’s due diligence, particularly during the agreement development phase, CEC staff may request the supporting documentation regarding the above registration requirements.

For more information, contact the Secretary of State’s Office via [the Secretary of State Office’s website](http://www.sos.ca.gov) at www.sos.ca.gov. Sole proprietors using a fictitious business name must be registered with the appropriate county and provide evidence of registration to CEC prior to their project being recommended for approval at a CEC Business Meeting.

## Project Requirements

The beneficiaries of the TA are intended to be communities, organizations, and entities that may face challenges such as limited staff resources or limited experience identifying and seeking grant funding for ZEV infrastructure in California. Eligible recipients for TA include California Native American tribes, California Tribal Organizations, community-based organizations, faith-based organizations, and local governments located in or providing benefit to Justice40-, disadvantaged-, or low-income communities in California. All TA recipients are subject to the review and approval of the CEC.

At a minimum, the TA provider(s) selected through this solicitation will be required to perform the following tasks under the awarded agreement. These activities are not expected to be completed as part of the application in response to this solicitation, but Applicants must describe in their Scope of Work (Attachment 2) their approach to complete the following tasks:

1. Provide a mechanism by which potential TA recipients apply for and are selected to receive technical assistance.
   * Develop a simple, user-friendly, and organized application for prospective TA recipients to apply.
   * Develop a process for screening and prioritizing TA recipients while considering potential conflicts of interest. (Applicants proposed for an award will be required to agree to terms and conditions related to conflicts of interest [~~, which are still under development by CEC, as part of the resultant grant agreement~~]. Without reservation to any other of its rights and remedies, CEC may cancel a proposed award if the proposed recipient does not agree to the terms provided.) Requests for TA will be screened for eligibility by the TA provider(s) in consultation with CEC staff.
   * Provide a recommendation regarding which applicants receive TA support. All TA recipients are subject to the review and approval of the CEC.
   * Prioritize TA recipients that have not received prior grants or block grant incentives for ZEV infrastructure from the CEC or federal grant funding programs.
2. Provide outreach to inform communities, organizations, and other entities about the TA opportunity.
   * Develop an outreach plan for CEC feedback and approval.

* Inform communities about the availability of the TA opportunity. Opportunities may include collaboration with community-based organizations and nonprofit networks, email blasts and other online dissemination of information, presentations at existing meetings or convenings, public workshops or webinars, coordination with other state agencies and technical assistance providers and their platforms, or other activities.
* Prioritize outreach to California Native American tribes; California Tribal Organizations; community-based organizations; faith-based organizations; and local governments located in or providing benefit to Justice40-, disadvantaged-, or low-income communities in California.

1. Provide administrative support to selected TA recipients.

* Provide continuous implementation and administrative assistance to a **minimum of 10 TA recipients.**
* Applicants proposed for an award will be required to agree to terms and conditions related to conflicts of interest [~~, which are still under development by CEC,]~~ as part of the resultant grant agreement. Without reservation to any other of its rights and remedies, CEC may cancel a proposed award if the proposed recipient does not agree to the terms provided.
* Prioritize support based on the needs of each TA recipient and include a rationale for prioritization, planning to provide as much support as possible based on the available resources.
* Check in with TA recipients on their assistance needs and adapt individual work plans on a regular basis.
* Support connections between TA recipients and local communities throughout a project’s life.
* Conduct regular meetings with each TA recipient.
* Translate materials to/from Spanish and other languages if requested.

1. Provide grant readiness and eligibility support for TA recipients.
   * Provide information in an accessible form and language about the availability of ZEV infrastructure funding opportunities for communities, organizations, and other entities.
   * Provide guidance to TA recipients on eligibility criteria for applicable funding opportunities.
   * Conduct community-based need assessments for ZEV infrastructure to help TA recipients identify the most suitable grant programs for their specific needs.
2. Support each TA recipient in developing their application(s) to apply for state and/or federal ZEV infrastructure funding opportunities.
   * Provide guidance and support to TA recipients in preparing grant applications, helping recipients understand the required documentation, budgeting, and submission process.
   * Assist with the technical aspects of project proposals, such as the number and type of ZEV charging and refueling stations, sustainability planning, labor workforce requirements, feasibility studies, interfacing with local jurisdictions to navigate permitting and environmental review, and financial modeling.
   * Help TA recipients create realistic budgets and financial plans for their projects including satisfying any match requirements.
   * Help TA recipients engage with their community and other entities to build support for grant-funded projects, ensuring that projects are aligned with community needs and goals.
   * Facilitate connections with other organizations, agencies, and potential partners that can support the project. (Applicants proposed for an award will be required to agree to terms and conditions related to conflicts of interest [~~, which are still under development by CEC,~~] as part of the resultant grant agreement. Without reservation to any other of its rights and remedies, CEC may cancel a proposed award if the proposed recipient does not agree to the terms provided.)
   * Provide valuable feedback on unsuccessful grant applications, helping TA recipients improve their proposals for future opportunities.

* Develop a work plan and timeline with each TA recipient to meet deadlines, including time for the TA provider to conduct a final review of each application prior to submission.
* Identify challenges that may prevent TA recipients from successful submission of applications and provide support in resolving issues.

1. Support each TA recipient in implementing their funded project(s) and meeting grant requirements.

* Assist TA recipients in preparing invoice materials and documentation for grant funding reimbursement.
* Provide guidance on requirements for compliance and reporting throughout the life of the grant, including guiding TA recipients in preparing their routine progress reports to funding agencies.
* Provide project support with completing ZEV charging and refueling infrastructure projects such as siting, ADA compliance, and navigating utility applications for interconnection and/or upgrades.
* Offer training and resources to enhance the capacity of TA recipients to manage and implement clean transportation and ZEV infrastructure projects, even beyond the scope of the grant.

1. Provide a Final Report that will include a comprehensive assessment of the TA project. The report should capture the major lessons learned during project delivery and the unique assistance and services provided to each TA recipient.

## Eligible Project Costs

Costs incurred for the following are eligible for CEC reimbursement or as the Applicant’s match share. CEC reimbursable costs may only be incurred after execution.

* Public outreach to inform communities, organizations, and other entities about the TA opportunity.
* Assistance for TA recipients in understanding grant requirements and implementing their funded projects through the lifetime of the project.
* Partnership engagement including but not limited to hosting workshops, organizing townhall meetings, surveys.
* Grant writing assistance by the Applicant or members of the project team.
* Data quantification.

Costs incurred for the following are ineligible for CEC reimbursement and match share cost. This is not an exhaustive list.

* Software development.
* Vehicle purchases and vehicle related expenses (fuel, insurance, etc.)
* Purchasing or installing EV charging or hydrogen fueling equipment.

## Match Funding Requirements

* 1. **Total Match Share Requirement**

No match is required for this solicitation.

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

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

No cash match is required for this solicitation.

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

1. **In-Kind Match Share**

The balance of the total match share requirement (in this case, there is no 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**

1. ***Other Sources of CEC Funding*** – Other sources of CEC funding may not be claimed as match share. This includes block grants funded by the CEC.
2. ***Property Not Owned by the Applicant*** – Donated property may be claimed as match based on the fair market value of renting or leasing the property. Fair market value is based on rental costs of comparable property (if any), market conditions in the area, alternatives available and the type, life expectancy, condition, and value of the property.

1. ***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.

1. ***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.

1. ***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.

1. ***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.

1. ***Forgone Rent*** – For example, rent that is not paid is not an allowable item of cost.

1. ***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.

1. ***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.

1. ***Utility Provided Electrical Upgrades and Funding***-– For example, expenses that are already paid or to be paid for through a utility program, tariff, or other ratepayer funding is not an allowable item of cost. This includes ratepayer funded enrollment incentives.

1. ***Compliance with Local, Regional, State, or Federal Law, Rule or Regulation*** - For example, expenses associated with ensuring compliance with state or federal building codes, including provisions of the California Green Building Standards Code requiring the installation of a minimum amount of electric vehicle supply equipment, Electric Vehicle Capable, or Electric Vehicle Ready parking spaces, is not an allowable item of cost.
2. ***Procurement, installation, commissioning, operation, or maintenance of vehicles, ZEV charging, or ZEV refueling infrastructure*** – For example, expenses associated with the purchase of vehicles, ZEV charging, or ZEV refueling equipment, the design/construction/install of a ZEV charging or refueling station, and operation and maintenance costs for a vehicle or ZEV charging or ZEV refueling station (e.g., replacement parts, labor for technicians to maintain or repair stations, electricity costs, etc.) is not an allowable item of cost.

# III. Application Format, Required Documents, and Delivery

## Required Format for an Application

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

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

## Method for Delivery

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

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

The CEC is providing a team of technical assistants to support Applicants with this new process. Please email[ECAMS.SalesforceSupport@energy.ca.gov](mailto:ECAMS.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 5, must be in Excel format.

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

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

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

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

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

## Page Limitations

The total number of pages for an Application’s Project Narrative is limited to 15 pages. The Table of Contents does not count towards this page limitation.

## Application Content

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. Note that Letters of Support (Attachment 9) are optional.

| **Item** | **Attachment Number** |
| --- | --- |
| Project Narrative | Attachment 1 |
| Scope of Work | Attachment 2 |
| Schedule of Products and Due Dates | Attachment 4 |
| Budget Forms | Attachment 5 |
| Resumes | Attachment 6 |
| Contact List | Attachment 7 |
| Letters of Commitment | Attachment 8 |
| Letters of Support (optional) | Attachment 9 |
| CEQA Worksheet | Attachment 10 |
| Past Performance Reference Form(s) | Attachment 11 |
| Applicant Declaration | Attachment 12 |

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 (Attachment 1)**

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

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

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

1. **Team Qualifications and Experience** 
   1. Describe the project team’s qualifications (including relevant expertise, experience, and skill sets) and suitability to the tasks described in the project requirements.
   2. Describe the project team’s ability and experience (including the number of months) in one or more of the following:
      * 1. Providing capacity building support or TA activities in projects and programs related to zero-emission transportation.
        2. Developing and implementing community engagement that increase underrepresented communities’ awareness of and involvement in zero-emission transportation projects and/or programs.
        3. Providing direct assistance to underrepresented communities and individuals with a focus on promoting equity and access to resources.
   3. Describe the project team’s experience (including number of months) in working directly with Justice40 communities, disadvantaged communities, low-income communities, California Native American tribes, or California Tribal Organizations on developing funding applications, grant writing, or conducting public outreach.
   4. Describe the project team’s experience (including number of months) in managing a project that involved coordination between public, private, and non-profit organizations.
   5. Describe the project team's experience in writing proposals or grant funding applications that resulted in a funding award, related to clean transportation.
   6. Describe the project team’s experience in managing ZEV infrastructure projects from initial design to energization.
   7. Describe the project team’s action plan, resolution, or other documented commitment to implementing equity, environmental justice, and cultural competency principles in its work.
   8. Describe the project team’s experience (including number of months) in managing contracts and data reporting.
   9. Describe the project team’s experience in helping translate materials to/from Spanish and other languages and the project team’s proficiency in speaking Spanish.
   10. Discuss the project team’s ability to meet deadlines and complete milestones associated with large, complex projects, and control project costs.
   11. List and describe project team members and key project partner functions.
2. **Project Implementation and Readiness** 
   1. Describe the project goals and objectives. Describe how the project is technically feasible and can address critical factors and risks to project success.
   2. Describe the project team’s approach for screening and prioritizing which TA applicants will receive support while considering potential conflicts of interest. Include how TA recipients that have not received prior grants or block grant incentives for ZEV infrastructure from the CEC or federal grant funding programs will be prioritized.
   3. Describe the project team’s outreach plan to publicize the TA opportunity to potential TA applicants and how outreach to California Native American tribes, community-based organizations, faith-based organizations, and local governments located in or providing benefit to Justice40-, disadvantaged-, or low-income- communities in California will be prioritized.
   4. Describe the project team’s approach to identify eligible applicants to receive TA. Discuss the best approach to divide assistance to ensure the project team reaches the most communities.
   5. Discuss how the proposed approach helps TA recipients connect to other interested partners working in their communities or that could support proposed projects.
   6. Discuss how the project team will provide individualized support for each TA recipient.
   7. Discuss how the proposed approach enhances the capacity of TA recipients to apply for, manage, and implement clean transportation and ZEV infrastructure projects in the future.
   8. Discuss how the proposed approach aligns with/builds on previous and ongoing TA programs.
3. **Project Budget and Cost Effectiveness**
4. Describe how the proposed budget is justifiable and reasonable relative to the project goals, objectives, and tasks.
5. Discuss risks and/or budget contingencies and how those risks or contingencies will be addressed and mitigated.
6. Describe how the project is fiscally sustainable, and how the activities can continue beyond the term of the CEC’s funding agreement.
7. Describe the project team’s internal controls to ensure:
8. Administrative and overhead costs are minimized while ensuring effective and successful project implementation.
9. Complete and accurate accounting of project funds.
10. Proper invoicing and payment of bills.

d. **Community Benefits**

1. Describe how the project team will measure and ensure benefits to California Native American tribes, Justice40-, disadvantaged-, or low-income- communities in California.
2. Describe the planned community engagement initiatives/activities (e.g., town halls, workshops, surveys, etc.) and products targeting California Native American tribes, California Tribal Organizations, community-based organizations, faith-based organizations, and local governments located in or providing benefit to Justice40-, disadvantaged-, or low-income communities in California.
3. Summarize support for the project from tribal entities, community-based organizations, faith-based organizations, or local governments.
4. **Scope of Work (Attachment 2)**

Applicants must include a completed Scope of Work utilizing the template contained in Attachment 2. Instructions for completing the Scope of Work as well as a sample are included in Attachment 3. 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 4)**

Applicants must include a completed Schedule of Products and Due Dates. All work must be scheduled for completion within 6 years from the start date and no later than **March 31,** **2031** 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 4. The Schedule of Products and Due Dates must be in MS Excel.

1. **Budget Forms (Attachment 5)**

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 5.
       1. Rates and job descriptions shown must reflect rates and job descriptions charged under an agreement resulting from this solicitation. The salaries, rates, and other costs entered on these forms become a part of the final agreement. The entire term of the agreement and projected rate increases must be considered when preparing the budget. Unless a federally approved indirect rate is used, indirect rates proposed are considered capped and shall not change during the term of the agreement. The grant recipient shall only be reimbursed for their actual rates up to the indirect rate cap. A description of available indirect rate options is available on the [ECAMS Resources webpage](https://www.energy.ca.gov/funding-opportunities/funding-resources/ecams-resources) under [Budget Category Guidance](https://www.energy.ca.gov/funding-opportunities/funding-resources/ecams-resources/budget-category-guidance?auHash=cEItgat6JNbO9BFGeVqe4E5T6koCOgTaqliFX6bmwtg) for indirect rates. Unlike indirect rates, the rates for Direct Labor and Fringe Benefits are treated as estimates; a grant recipient can invoice at higher rates as long as it is only invoicing for actual expenditures it has made. The hourly or monthly rates provided shall be unloaded (before fringe benefits or indirect costs).
       2. The information provided in these forms will not be kept confidential.
       3. All reimbursable expenditures must be expended within the approved term of the grant agreement. Expenditures may be counted as match share only after CEC notifies the Applicant that its project has been proposed for an award through the release of a Notice of Proposed Awards (NOPA). However, match expenditures incurred after release of the NOPA but prior to the execution of a grant agreement are made solely at the Applicant’s own risk.
       4. Applicants must budget for the expenses of a Kick-off Meeting, at least one (1) Critical Project Review meeting, and a Final meeting. Meetings may be conducted at the CEC or remotely, as determined by the CAM.
       5. Applicants must budget for permits, insurance, etc. CEC will not reimburse expenditures for permitting or insurance. However, these expenditures can be included as match share expenditure.
       6. Applicants must budget for the preparation and submission of quarterly progress reports during the term of the agreement, and a Final Report. Instructions for preparing the Final Report will be provided to Applicants that are proposed for funding.
       7. The purchase of equipment (defined as items with a unit cost greater than $5,000 and a useful life of greater than one year) with CEC funds will require disposition of purchased equipment at the end of the project. Typically, grant recipients may continue to utilize equipment purchased with CEC funds as long as the use is consistent with the intent of the original agreement. There are no disposition requirements for equipment purchased with match share funding.
    2. The Budget must reflect estimates for actual costs to be incurred during the approved term of the agreement. CEC can only approve and reimburse for actual costs that are properly documented in accordance with the grant agreement terms and conditions.
    3. Applicants shall NOT budget for, and CANNOT be reimbursed for, more than their actual allowable expenses (i.e., the budget cannot include profit, fees, or markups) under the agreement. Subrecipients (all tiers) are allowed to include up to a maximum total of 10% profit, fees or mark-ups on their own actual allowable expenses less any expenses budgeted to sub-subrecipients (i.e., profit, fees and markups are not allowed on lower tier subrecipient expenses). For example, if a subrecipient has $100,000 in actual allowable costs but has budgeted $20,000 to a sub-subrecipient, then the subrecipient can only include up to 10% profit on $80,000 ($100,000 minus $20,000). See terms and conditions for additional restrictions and requirements.

IMPORTANT – Payment of Prevailing Wage: Applicants must read and pay particular attention to the terms and conditions section related to Public Works and payment of Prevailing Wages. Prevailing wage rates can be significantly higher than non-prevailing wage rates. Failure to pay legally required prevailing wage rates can result in substantial damages and financial penalties, termination of the grant agreement, disruption of projects, and other complications.

1. **Resumes (Attachment 6)**

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 7)**

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 Commitment (Attachment 8)**

Applicants must submit a match funding commitment letter from each entity that is committing to providing match funding. A commitment letter commits an entity or individual to providing the service or funding described in the letter. Letters are limited to two-pages each.

* 1. **Key Project Partners:** Key project partners identified in the application must provide letters demonstrating their ability to fulfill their identified roles.
  2. **Match Share Contributors Letters of Commitment:** Any match share contributors (including the Applicant and/or a third-party) 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 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.

1. **Letters of Support (Attachment 9 - 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. Letters are limited to two-pages each.

1. **CEQA Worksheet (Attachment 10)**

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 may include 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. **Past Performance Reference Form(s) (Attachment 11)**

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 12)**

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 CEC or another public agency or entity; are in compliance with all judgments, if any, issued against the Applicant in any matter to which the CEC or another public agency or entity is a party; are complying with any demand letter made on the Applicant by the CEC or another public agency or entity; and are not in active litigation with the CEC regarding the Applicant’s actions under a current or past contract, grant, or loan with the CEC. The declaration must be signed under penalty of perjury by an authorized representative of the Applicant’s organization.

# 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 applications, the 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** | **Pass/Fail** |
| 1. The application is received by the CEC by the due date and time specified in the “Key Activities Schedule” in Section I of this solicitation. | Pass  Fail |
| 1. The Applicant has not included a statement that is contrary to the required authorizations and certifications when submitting in ECAMS. | Pass  Fail |

* 1. **Technical Screening Criteria**

|  |  |
| --- | --- |
| **Technical Screening Criteria** | **Pass/Fail** |
| 1. The Applicant is an eligible Applicant. | Pass  Fail |
| 1. The project is an eligible project. | Pass  Fail |
| 1. The Applicant passes the past performance screening criterion. | Pass  Fail |

* 1. **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. For the purposes of this screening criterion an Applicant is defined as either (a) an entity, principal investigator, or lead individual acting on behalf of themselves, that received funds from the CEC (e.g. a contract, grant, or loan) and entered into an agreement(s) with the CEC; or (b) an entity, principal investigator, or lead individual that received a CEC-funded incentive. Any Applicant that does not have an active or prior agreement and has not received a CEC-funded incentive equates to no severe performance issues and therefore would pass this screening criterion.

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.
  + 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 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.

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 meeting the encumbrance deadline may be jeopardized. In this instance, the CEC may cancel the proposed award and award funds to the next highest scoring applicant.

* 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 Part I. A request for debriefing should be received no later than 15 calendar days after the NOPA is released.

## Scoring Scale

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

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

## Evaluation Criteria

|  |  |
| --- | --- |
| **Criterion** | **Possible Points** |
| **Team Experience and Qualifications**  Applications will be evaluated on the degree to which:   * The project team’s qualifications (including relevant expertise, experience, and skill sets) are suitable to the tasks described in the proposed Scope of Work. * The project team has more than 36 months of experience in one or more of the following: providing capacity building support or TA activities in projects and programs related to zero-emission transportation; developing and implementing community engagement to increase underrepresented communities’ awareness of and involvement in zero-emission transportation projects and/or programs; or providing direct assistance to underrepresented communities and individuals with a focus on promoting equity and access to resources. * The project team has more than 24 months of experience working directly with Justice40 communities, disadvantaged communities, low-income communities, California Native American tribes, or California Tribal Organizations on developing funding applications, grant writing, or conducting public outreach. * The project team has more than 24 months of experience managing a project that involved coordination between public, private, and non-profit organizations. * The project team has experience writing more than one proposal or grant funding application related to clean transportation that resulted in funding awards. * The project team has experience managing more than one ZEV infrastructure project from initial design to energization. * The project team’s action plan, resolution, or other documentation includes a commitment to implementing equity, environmental justice, and cultural competency principles in their work. * The project team has more than 24 months of experience managing contracts and data reporting. * The project team has experience translating materials to/from Spanish and other languages and has at least one member of the project team who can speak Spanish proficiently. * The project team demonstrates its ability to meet deadlines and complete milestones associated with large, complex projects, and control project costs. * Past performance on prior CEC awards has been timely and exceptional. | 35 |
| **Project Implementation and Readiness**  Applications will be evaluated on the degree to which:   * The tasks in the Scope of Work contribute to the successful and timely completion of the proposed project. * The proposed project is technically feasible and risks to project success are mitigated. * The project schedule is complete, sequential, reasonable, and will lead to successful and scheduled completion of the project. * The proposed approach for screening and prioritizing TA recipients addresses conflicts of interest and will result in a diverse pool of TA recipients from California Native American tribes, Justice40-, disadvantaged-, and/or low-income- communities and TA recipients that have not received prior grants or block grant incentives for ZEV infrastructure from the CEC or federal grant funding programs. * The proposed approach for publicizing the TA opportunity will generate interest from California Native American tribes, community-based organizations, faith-based organizations, and local governments located in or providing benefit to Justice40-, disadvantaged-, or low-income- communities in California. * The proposed approach to identify TA applicants to receive TA will ensure the project team reaches the most communities. * The proposed approach will support TA recipients to connect with other interested partners working in their communities or that could support proposed projects. * The proposed approach for how TA support will be individualized for each TA recipient ensures successful grant application submittal/award and/or project implementation. * The proposed approach enhances the capacity of TA recipients to apply for, manage, and implement clean transportation and ZEV infrastructure projects in the future. * The proposed approach aligns with/builds on previous and ongoing technical assistance programs. | 35 |
| **Project Budget and Cost Effectiveness**  Applications will be evaluated on the degree to which:   * The proposed budget is justified and reasonable relative to the project goals, objectives, and tasks. * The Applicant addresses and mitigates potential risks and budget contingencies. * Administrative and overhead costs are minimized. * The proposed project is fiscally sustainable and will continue beyond the term of the CEC’s funding agreement. * Internal controls and processes to ensure complete and accurate accounting of project funds and proper invoicing and payment of bills are documented and verifiable. | 15 |
| **Community Benefits**  Applications will be evaluated on the degree to which:   * The proposed project will benefit California Native American tribes, Justice40-, disadvantaged-, or low-income- communities in California. * Community engagement initiatives/activities will target California Native American tribes, California Tribal Organizations, community-based organizations, faith-based organizations, and local governments located in or providing benefit to Justice40-, disadvantaged-, or low-income communities in California. * The proposed project has documented support from tribal entities, community organizations, faith-based organizations, or local governments. | 15 |
| **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 Implementation and Readiness 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** |
| Applicant | Respondent to this solicitation |
| Application | Formal written response to this document from applicant |
| California Native American tribe | A Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004. |
| California Tribal Organization | A corporation, association, or group controlled, sanctioned, or chartered by a California Native American tribe that is subject to its laws, the laws of the State of California, or the laws of the United States. |
| CAM | Commission Agreement Manager |
| CAO | Commission Agreement Officer |
| CEC | California Energy Commission |
| Disadvantaged Communities | The top 25% of census tracts experiencing disproportionate amounts of pollution, environmental degradation, and socioeconomic and public health conditions according to the Office of Environmental Health Hazard Assessment’s CalEnviroScreen 4.0 tool. |
| ECAMS | Energy Commission Agreement Management System |
| GAAP | Generally Accepted Accounting Principles |
| Justice40 Communities | Justice40 communities are communities identified as disadvantaged by the [Climate and Economic Justice Screening Tool (CEJST)](https://screeningtool.geoplatform.gov/en/), located at https://screeningtool.geoplatform.gov/, as well as all Federally Recognized Tribes. Justice40 communities are designated by the Council on Environmental Quality as communities that experience health, transportation access, and energy burdens, with economies highly dependent on fossil energy sources, and exposure to environmental and climate hazards. |
| Low-Income Communities | Low-income communities are defined as the census tracts where the median household income is at or below 80% of the statewide median income. Alternatively, a community can be considered low-income if it falls below the threshold designated as low-income by the California Department of Housing and Community Development. |
| Project Team | Consists of the Applicant, subcontractors, and participating partners |
| Solicitation | Grant Funding Opportunity, which refers to this entire solicitation document and all its attachments and exhibits |
| State | State of California |
| TA | Technical Assistance |
| Technical Assistance | The process of providing targeted support to an agency, organization, or community with a development need or resource gap. |
| TA Provider | A third-party provider that is qualified to carry out the specific scope of work TA recipients will need. |
| TA Recipient | Potential applicants or program grantee in need of implementation support. |
| 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

The Applicant shall not submit any confidential information as part of its application. All information submitted in an application will be considered and treated as non-confidential information that is subject to disclosure under the Public Records Act (Gov. Code § 7920.000 et seq.).

## Solicitation Cancellation and Amendments

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

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

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

## Errors

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

## Modifying or Recalling an Application

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

## Immaterial Defect

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

## Opportunity to Cure Administrative Errors

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

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

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

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

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

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

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

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

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

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

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

## Disposition of Applicant’s Documents

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

## Applicants’ Admonishment

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

## Agreement Requirements

The content of this solicitation shall be incorporated by reference into the final agreement. 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)