**GRANT FUNDING OPPORTUNITY**

**Clean Transportation Program**

**Medium- and Heavy-Duty Zero-Emission Vehicle Port Infrastructure**





GFO-24-610

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

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

State of California

California Energy Commission

March 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 $40 million in grant funds for projects that will deploy medium- and heavy-duty (MDHD) zero-emission vehicle (ZEV) charging or hydrogen refueling infrastructure for California seaports and land ports of entry. Funding will support new installation of in-ground fueling infrastructure for battery electric or hydrogen fuel cell MDHD vehicles and/or port equipment and/or off-road equipment (e.g. gantries, cargo handling equipment, etc.).

## 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 fueling infrastructure, fueling stations, and equipment.
* Establish workforce training programs and conduct public outreach on the benefits of alternative transportation fuels and vehicle technologies.

The Budget Act of 2023 (Chapter 189, Statutes of 2023), as amended by SB 109 (Chapter 36, Statutes of 2024) and AB 158 (Chapter 996, Statutes of 2024) appropriated funding from the Greenhouse Gas Reduction Fund (GGRF) to support infrastructure deployments for zero-emission light-duty and MDHD vehicles. This program is part of California Climate Investments, a statewide initiative that puts billions of Cap-and-Trade dollars to work reducing greenhouse gas emissions, strengthening the economy, and improving public health and the environment — particularly in disadvantaged communities.

## Commitment to Diversity

The CEC is committed to ensuring that participation in its programs and funding opportunities 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 programs and funding opportunities.
* Encourage greater participation by underrepresented groups including disabled veteran-, women-, minority-, and lesbian, gay, bisexual, transgender, and queer (LGBTQ)-owned businesses.
* Assist applicants in understanding how to apply for funding from CEC’s programs.

## 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 | March 27, 2025 |
| Pre-Application Workshop\* | April 8, 2025 |
| Deadline for Written Questions **by 5:00 p.m.**\* | April 14, 2025 |
| Anticipated Distribution of Questions/Answers | Week of May 12, 2025 |
| Support for Application Submission in the Energy Commission Agreement Management System (ECAMS) until 5:00 p.m. | **Ongoing until June 13, 2025** |
| **Deadline to Submit Applications by 11:59 p.m.\*** | **June 13, 2025** |
| Anticipated Notice of Proposed Awards Posting  | Week of July 21, 2025 |
| Anticipated CEC Business Meeting  | November 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. Applications obtaining at least the minimum passing score in each Applicant Group (see Section I.G.) will be recommended for funding in ranked order until all funds available in each Applicant Group are exhausted. If there are insufficient passing applications in either Applicant Group, CEC may shift remaining funds to the other Applicant Group. 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 in each Applicant Group 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 $40 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 and Minimum Infrastructure Requirements

Projects are eligible for CEC funds totaling up to 75% of 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. See table below for more detail.

The total maximum award amounts and minimum infrastructure requirements for each Applicant Group are listed in the table below.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Applicant Group** | **Minimum # of new charging ports/ hydrogen fueling positions deployed** | **Total CEC Funding Available** | **Maximum Award Amount** | **Minimum Match Share Required** |
| **Group 1: Small Ports:** * Seaports with less than 5 million tons of cargo transported annually;
* Land ports of entry transporting less than $2 billion of freight annually
 | 20 charging ports or 2 hydrogen fueling positions\* | $20 million | $5 million | 25% |
| **Group 2: Large Ports:*** Seaports transporting over 5 million tons of cargo annually;
* Land ports of entry transporting over $2 billion of freight annually
 | 40 charging ports or 4 hydrogen fueling positions\* | $20 million | $10 million | 25% |

\*If the project includes both charging and hydrogen refueling infrastructure, only the technology type identified as the principal technology in the application will be eligible for CEC reimbursement.

Applicants may submit an application for either charging infrastructure for MDHD battery electric vehicles (BEVs) and/or port equipment and/or off-road equipment (e.g. gantries, cargo handling equipment, etc.) or hydrogen refueling infrastructure for MDHD fuel cell electric vehicles (FCEVs) and/or port equipment and/or off-road equipment (e.g. gantries, cargo handling equipment, etc.). Each application must clearly identify which technology type the proposed project will principally address. If the project includes both charging and hydrogen refueling infrastructure, only the technology type identified as the principal technology in the application will be eligible for CEC reimbursement. The secondary technology type may be used as match and would not be required to install the minimum infrastructure requirements listed in the table above.

Applicants must identify whether the proposed project will focus on Small Ports or Large Ports. Applicants in the Small Ports Applicant Group (Group 1) proposing to install charging infrastructure for at least 20 new charging ports or at least two new hydrogen refueling positions are eligible for up to $5 million per award. Applicants in the Large Ports Applicant Group (Group 2) proposing to install charging infrastructure for at least 40 new charging ports or at least four new hydrogen refueling positions are eligible for up to $10 million per award.

If an Applicant plans to submit an application for a Small Ports project that focuses on installing charging or hydrogen refueling infrastructure, and another separate and distinct application for a Large Ports project that focuses on installing charging or hydrogen refueling infrastructure, the Applicant may be eligible for the maximum award amount in both groups, totaling $15 million. Applicants may submit multiple applications for each Applicant Group as long as each application is separate and distinct; however, no Applicant will be eligible for more than a total of $15 million.

Please note that Applicants are not required to submit an application that requests the maximum award amount. Applicants may submit applications that request less funding. Applicants must identify which Applicant Group the proposed project will address. The CEC expects to award at least four projects for Applicant Group 1: Small Ports and at least two projects for Applicant Group 2: Large Ports. Once the Applications achieving at least the minimum passing score in each Applicant Group are recommended for funding, if funding remains available, the CEC may shift remaining funds between Applicant Groups.

If there is a potential partial award in either Applicant Group, the CEC may choose not to fund it, partially fund it, or add funds to fully fund it. The CEC reserves the right to add funds to either Applicant Group and is not required to add funds to both Applicant Groups equally. If electing to add more funds to the solicitation, the CEC is not required to add funds to the Applicant Group with the higher scoring non-funded applications.

Federal funding received by ports may be stacked with CEC awards but project costs reimbursed under one award cannot also be reimbursed by the other award. Federal funding may be used as match funding.

## Maximum Number of Applications

Applicants may submit multiple applications under this solicitation. Each proposed project must be separate and distinct and adhere to all requirements contained in this solicitation.

Applicants must identify only one Applicant Group per the Table in Section I.G that the proposed project in their application principally addresses. A separate and distinct application means there is no overlap with respect to the tasks described in the Scope of Work (Attachment 02) of the application.

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

## Pre-Application Workshop

There will be one Pre-Application Workshop; participation in this meeting is optional but encouraged. The Pre-Application Workshop will be held remotely through Zoom 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.

**April 8, 2025**

9:30 a.m. – 11:00 a.m.

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/87167448938?pwd=12aS9ZVuU2OSXmpLjo9aAA5iHfd0Vk.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:** 871 6744 8938

**Meeting Password:** 436796

**Topic:** Pre-Application Workshop for Medium- and Heavy-Duty Zero-Emission Vehicle Port Infrastructure

**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, or (916) 957-7910.

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

[this website](https://support.zoom.us/hc/en-us/articles/201362023-System-requirements-for-Windows-macOS-and-Linux): https://support.zoom.us/hc/en-us/articles/201362023-System-requirements-for-Windows-macOS-and-Linux.

## Questions

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

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

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

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

## Contact Information

Phil Dyer, Commission Agreement Officer

California Energy Commission

715 P Street – 3rd Floor, MS-18

Sacramento, California 95814

Telephone: (916) 891-8474

E-mail: Phil.Dyer@energy.ca.gov

## Reference Documents

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

* [2024-2025 Investment Plan Update for the Clean Transportation Program Lead Commissioner Report (CEC-600-2024-047)](https://efiling.energy.ca.gov/GetDocument.aspx?tn=260290&DocumentContentId=96508)

https://efiling.energy.ca.gov/GetDocument.aspx?tn=260290&DocumentContentId=96508

* California Climate Investments – Priority Populations. [Priority Populations Resources — California Climate Investments](https://www.caclimateinvestments.ca.gov/resource-portal-priority-populations) https://www.caclimateinvestments.ca.gov/resource-portal-priority-populations
* [CalEnviroScreen Tool](https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40) https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40
* California Department of Food and Agriculture, Division of Measurement Standards

[Zero-Emission Vehicle Projects](https://www.cdfa.ca.gov/dms/programs/zevfuels/) https://www.cdfa.ca.gov/dms/programs/zevfuels/

* [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.
* [Executive Order N-79-20](https://www.gov.ca.gov/wp-content/uploads/2020/09/9.23.20-EO-N-79-20-Climate.pdf)
https://www.gov.ca.gov/wp-content/uploads/2020/09/9.23.20-EO-N-79-20-Climate.pdf

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# II. Eligibility Requirements

## Applicant Requirements

1. **Eligibility**

This solicitation is open to all California ports and all public and private entities serving or supporting a California port. Non-port applicants will be required to either provide a letter of support from a port or otherwise describe in the project narrative how the project will support a port or ports.

Ineligible applicants include 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.

In addition to the applicable terms and conditions listed above, the following terms and conditions may apply to the Applicant: Greenhouse Gas Reduction Fund Special Terms and Conditions; the Special Terms and Conditions on Insolvency, Bankruptcy, or Receivership; and any other special terms and conditions required by the CEC. The Greenhouse Gas Reduction Fund Special Terms and Conditions are included as Attachment 16, and all other standard terms and conditions and special terms and conditions are located at <https://www.energy.ca.gov/funding-opportunities/funding-resources>.

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

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).

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

1. **Eligible Projects**

All proposed projects must include the installation, deployment, and demonstration of electric vehicle charging or hydrogen refueling stations for MDHD vehicles, defined as Class 2b-8 on-road vehicles, and/or port equipment and/or off-road equipment (e.g. gantries, cargo handling equipment, etc.) at a seaport or land port of entry, and meet the minimum deployment requirements noted in Section I.G.

The Applicant or a key project partner must operate each proposed station and maintain its open status for a minimum of six years.

1. **Charger Port/Hydrogen Refueling Dispenser Minimums**
	* Electric charging infrastructure for MDHD battery electric vehicles (BEVs) and/or port and/or off-road equipment:
* If applying as a Small Port, a minimum of 20 high-powered (at least 200 kW) direct current fast chargers (DCFCs) or charging ports for simultaneous charging.
* If applying as a Large Port, a minimum of 40 high-powered (at least 200 kW) direct current fast chargers (DCFCs) or charging ports for simultaneous charging.
* Each port must be capable of 200 kW.
* If using Automated Load Management (ALM), which is not a requirement for this solicitation, the following applies:
* Each port would need to be capable of simultaneously delivering at least 150 kW when all ports are in use.[[1]](#footnote-2)
	+ Hydrogen refueling infrastructure for MDHD fuel cell electric vehicles (FCEVs) and/or port or off-road equipment:
* If applying as a Small Port, a minimum of 2 heavy-duty hydrogen dispensing platforms for simultaneous refueling must be included in the proposed project. At least 1 of the platforms must dispense at 700-bar.
* If applying as a Large Port, a minimum of 4 heavy-duty hydrogen dispensing platforms for simultaneous refueling must be included in the proposed project. At least 2 of the platforms must dispense at 700-bar.
1. **Project Location**

The project must be located on the port or at a location that directly serves the port. If not located at a port, the project narrative should describe how the location directly supports the port operations.

The project must also be able to demonstrate documentation from the utility showing adequate electrical capacity at the proposed site or a timeline for energization at the proposed site.

1. **Data Collection**

Applications that result in proposed awards and executed agreements will be required to collect data from the project and perform recordkeeping and reporting on operations and reliability as specified in the Scope of Work (Attachment 2). Applicants should familiarize themselves with these requirements and ensure they have systems in place to comply.

1. ***For Electric Vehicle Charging Projects Only:***

**Requirements for Charging Equipment Pursuant to AB 2061 (Chapter 345, Statutes of 2022).**In addition to the other requirements set forth in this solicitation, the terms and conditions applicable to the Applicant and the law, electric vehicle chargers and charging stations must comply with recordkeeping and reporting standards which CEC is currently in the process of developing. As background, [AB 2061](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fleginfo.legislature.ca.gov%2Ffaces%2FbillNavClient.xhtml%3Fbill_id%3D202120220AB2061&data=05%7C01%7C%7C42d6b61b96eb4134116008daf00cb71d%7Cac3a124413f44ef68d1bbaa27148194e%7C0%7C0%7C638086234657292031%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=%2FjFT6dJ0RhiGO8Tn%2FRwBEe99Xyouv9b4PvmPOJQLU5c%3D&reserved=0) (Ting, Chapter 345, Statutes of 2022) and Cal. Pub. Resources Code sect. 25231.5 require the CEC, in consultation with the CPUC, to develop recordkeeping and reporting standards for EV chargers and charging stations. CEC is working to develop regulations in compliance with AB 2061. Other requirements, including but not limited to uptime and operation and maintenance requirements, may also be adopted by regulation. Once these regulations are finalized, chargers installed under agreements resulting from this solicitation will need to comply with the new regulations. Applicants to this solicitation must be prepared to comply with any new or updated regulations, even if the regulations are not in existence at the time of application to this solicitation.

**Agreements funding electric vehicle charging infrastructure and equipment:** AB 841 (Ting, Chapter 372, Statutes of 2020) added Public Utilities Code (PUC) section 740.20, which requires Electric Vehicle Infrastructure Training Program (EVITP) certification to install electric vehicle charging infrastructure and equipment for work performed on or after January 1, 2022, subject to certain exceptions.

Therefore, applying PUC 740.20 EVITP requirements to the grant agreement means that all electric vehicle charging infrastructure and equipment located on the customer side of the electrical meter shall be installed by a contractor with the appropriate license classification, as determined by the Contractors’ State License Board, and at least one electrician on each crew, at any given time, who holds an EVITP certification. Projects that include installation of a charging port supplying 25 kilowatts or more to a vehicle must have at least 25 percent of the total electricians working on the crew for the project, at any given time, who hold EVITP certification. One member of each crew may be both the contractor and an EVITP certified electrician. The requirements stated in this paragraph do not apply to any of the following:

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

**Compliance with California EVSE Commercial Device Requirements:** All electric vehicle supply equipment (EVSE) installed for commercial[[2]](#footnote-3) use shall have a type approval certificate issued through the California Type Evaluation Program (CTEP) administered by the California Department of Food and Agriculture (CDFA) Division of Measurement Standards (DMS) or Certificate of Conformance issued by the National Type Evaluation Program (NTEP) administered through the National Conference on Weights and Measures (NCWM). California accepts NTEP certificates so long as the device also meets CCR Title 4, Section 4002.11.

Unless otherwise updated by CDFA DMS, any installation, repair, or maintenance on commercial EVSE must be performed by a Registered Service Agency (RSA) and after the device is placed in service, the RSA must report this information to the county within 24 hours. Device owners are responsible for registering their device with the county.

All electric vehicle charging projects must:

* + - Facilitate vehicle-charger interoperability. Eligible charging equipment shall utilize charging connectors and/or charging interfaces that are compatible for use with MDHD vehicles sold by multiple original automotive equipment manufacturers for widespread use across California and North America. Such connectors/interfaces may include but are not limited to SAE J1772 CCS1, SAE J3105 or others.
* Leverage open standards-based network communications. Each individual EVSE or charger shall be capable of open standards-based communications with an electric vehicle service provider (EVSP), local fleet energy management system (EMS), or utility. All charger models shall be capable of connecting to a charging station management system using Open Charge Point Protocol (OCPP) 2.0.1 or later. This requirement is intended to prepare deployments for compliance with upcoming charger reliability regulations under AB 2061. These communications should enable remote monitoring and help maintain reliable equipment operations. These functions and their associated design include:
	+ Network connectivity (one of the following):
		- IEEE 802.11n for high-bandwidth wireless networking
		- IEEE 802.3 for Ethernet for local- or wide- area network applications
	+ Ability to receive remote software updates, real-time protocol translation, encryption, and decryption:
		- Internet Protocol (IP)-based processor must support multiple protocols
		- Compliant with Transmission Control Protocol (TCP)/IP and IPv6

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

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

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

1. ***For Hydrogen Refueling Projects Only:***
	* + **Priority Populations:** At least 50% of the locations in the application must directly benefit or serve residents of disadvantaged and low-income communities and low-income Californians in accordance with the map provided at Priority Populations — California Climate Investments https://www.caclimateinvestments.ca.gov/priority-populations.
		+ **Reliability Requirement:** Applicants shall commit to achieving 95% uptime at each eligible hydrogen refueling station included in their application if awarded under this solicitation. For the purposes of this solicitation, uptime shall be calculated as a quarterly average percentage and defined as (the total hours the station is available over the quarter / the total possible hours of operation over the quarter) X 100.

For example, if a station is open 24 hours per day and there are 92 days in a quarter, the total possible hours of operation in the quarter are 2,208. If a station is down for the entirety of 3 days (72 hours) and down for 2 hours on 8 days (16 hours) and 4 hours on 5 days (20 hours) over the quarter, the total hours of downtime are 108 and total hours the station is available are 2,100. Per the formula, the quarterly average uptime is (2,100/2,208) \* 100% = 95.1%.

* + - **Hydrogen Safety Plan:** Applicants shall commit to developing a Hydrogen Safety Plan for the proposed project that addresses the hydrogen refueling infrastructure. Applicants shall also commit to participate in an early design review by the Pacific Northwest National Laboratory’s (PNNL) [Center for Hydrogen Safety’s Hydrogen Safety Panel (HSP](https://h2tools.org/hsp#utilizing_the_hsp)) and work with the HSP on any safety related incidents. Applicants are recommended to meet with a representative of the HSP prior to submitting their application to establish a common understanding of the Hydrogen Safety Plan and design review requirements.

If awarded under this solicitation, the Recipient’s agreement will require a Hydrogen Safety Plan for each proposed hydrogen refueling station design to demonstrate that hydrogen safety has been adequately incorporated into project planning and execution. The Hydrogen Safety Plan will be a subtask under one of the technical tasks in the Scope of Work (Attachment 2) and shall be completed by the dates specified in the Schedule of Products and Due Dates (Attachment 4).

The Recipient must prepare (a) Hydrogen Safety Plan for the PNNL Hydrogen Safety Panel (HSP) to review. Information on the HSP is at https://h2tools.org/hsp. It is up to the Recipient to work directly with the PNNL HSP to submit the preliminary Hydrogen Safety Plan to the PNNL HSP. If the Recipient wishes the plan to be kept confidential by the PNNL HSP, it is up to the Recipient to work with the PNNL HSP to achieve that. The Hydrogen Safety Plan is expected to address all of the elements identified in the most recent version of public guidelines titled [Safety Planning for Hydrogen and Fuel Cell Projects](https://h2tools.org/sites/default/files/Safety_Planning_for_Hydrogen_and_Fuel_Cell_Projects.pdf), available at:

<https://h2tools.org/sites/default/files/Safety_Planning_for_Hydrogen_and_Fuel_Cell_Projects.pdf>.

The HSP will assess the plan to this guidance document.

The Recipient shall include the following in the Hydrogen Plan:

* A detailed description about how the Recipient will adhere to the most recent [public guidelines](https://h2tools.org/sites/default/files/Safety_Planning_for_Hydrogen_and_Fuel_Cell_Projects.pdf) throughout the life of all of the stations. Should the Recipient’s adherence with the public guidelines or its Hydrogen Safety Plan lapse, without limitation to any other rights, the CEC reserves the right to cancel the Recipient’s agreement funded by this solicitation.
* A detailed description about how the Recipient will conform to the NFPA 2, Hydrogen Technologies Code 2020 edition. Should a locale accept NFPA 2, Hydrogen Technologies Code 2023 instead, the Recipient shall so state and shall conform to the 2023 edition. Regardless of which edition is used, any alternative means and methods should be identified and described. Should the Recipient’s compliance lapse, without limitation to any other rights, the CEC reserves the right to cancel the Recipient’s agreement funded by this solicitation.
* A detailed description about how the Recipient will provide ongoing safety training for station personnel from each station’s initial operation through retraining over the life of each station. Should the training lapse, without limitation to any other rights, the CEC reserves the right to cancel the Recipient’s agreement funded by this solicitation.

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

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

These activities shall be completed by the dates specified in the Schedule of Products and Due Dates (Attachment 4).

* + - **Hydrogen Refueling Station Design Review:** If awarded under this solicitation, the Recipient shall commit to participate in a hydrogen refueling station design for each station in the project with the PNNL HSP. The station design reviews shall occur before the Recipient submits the design plans to the Authority Having Jurisdiction (AHJ) for plan check or at a time agreed to by the HSP (e.g., after the incorporation of design features reflecting/implementing a completed preliminary hazard analysis). Participating in these station design reviews will be a subtask under one of the technical tasks in the Scope of Work (Attachment 2) and shall be completed by the dates specified in the Schedule of Products and Due Dates (Attachment 4).

Participating in HSP design reviews will be a mandatory technical task and shall be completed by the dates specified in the Schedule of Products and Due Dates. Should the Recipient cease participating in design reviews, without limitation to any other rights, the CEC reserves the right to cancel any agreement funded by this solicitation.

* + - **Inspections:** If awarded under this solicitation, the Recipient shall participate in an in-person review of a representative set of stations reflecting the common station design, and any stations that the CEC designates in the project with the PNNL HSP. The in-person inspection shall occur when the station has been open retail for between 6 and 12 months. Participating in the in-person inspection will be a subtask under one of the technical tasks in the Scope of Work (Attachment 2) and shall be completed by the dates specified in the Schedule of Products and Due Dates (Attachment 4).
		- **Reporting Safety Incidents:** The stations proposed by the Applicant shall conform to the California Health and Safety Code Section 25510(a). Recipients of funding under this solicitation shall submit report(s) of any unintended hydrogen releases to the [Certified Unified Program Agency (CUPA)](http://cersapps.calepa.ca.gov/Public/Directory), http://cersapps.calepa.ca.gov/Public/Directory.

Recipients of funding under this solicitation shall notify the CEC, in writing, of any safety incidents, by sending the same reports as were sent to the CUPA to the CEC. The Recipient shall also report safety incidents using the NREL Data Collection Tool.

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

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

* + - **Renewable Hydrogen Requirements**: The hydrogen refueling station(s) funded under this solicitation shall dispense renewable hydrogen to comply with the requirements specified in the [CARB LCFS regulation](https://ww2.arb.ca.gov/sites/default/files/2020-07/2020_lcfs_fro_oal-approved_unofficial_06302020.pdf), found at https://ww2.arb.ca.gov/sites/default/files/2020-07/2020\_lcfs\_fro\_oal-approved\_unofficial\_06302020.pdf, of CCR Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Subarticle 7, Sections:

o §95481(a) “Definitions - Renewable Hydrogen” and

o §95486.2(a)(4)(F) “Hydrogen Refueling Infrastructure (HRI) Pathways – Requirements to Generate HRI Credits.”

Once the station becomes operational, Recipients shall report on hydrogen dispensed using the Renewable Hydrogen Report (Attachment 19). This form must be completed on a quarterly basis, including but not limited to information about feedstock used and if the renewable content is directly used in the fuel or indirectly used via the book-and-claim process of LCFS.

1. All equipment must be able to withstand extreme weather conditions associated with the deployment area, including extreme temperature, flooding, heavy rains, and high winds, and display screens are protected from malfunctions due to condensation and any local area weather conditions.
2. A project that receives incentive funding from another CEC grant funding opportunity or block grant incentive project for the same project work described in the application is not eligible for this GFO.

## Minimum Technical Requirements for Open Retail Electric Vehicle Charging Stations

To be considered open retail, all electric vehicle charging stations funded under this solicitation shall, at a minimum, meet and adhere to each of the following Minimum Technical Requirements for Open Retail Electric Vehicle Charging Stations during station operation.

The Recipient shall submit to the CEC a completed, signed, and dated Open Retail Station Checklist (Attachment 20) for each station as it becomes open retail. Should the open retail charging station come out of compliance with the Checklist, the Recipient shall submit to the CEC a new completed, signed, and dated Open Retail Station Checklist.

All of the following Minimum Technical Requirements for Open Retail Electric Vehicle Charging Stations shall be met at the exact station address approved by the CEC.

1. The Energy Infrastructure Incentives for Zero-Emission Commercial Vehicles (EnergIIZE) program is an incentive program funded by the CEC and administered by CALSTART. The charging station equipment funded under this solicitation must conform with equipment detailed in the [EnergIIZE Eligible Electric Technology Catalog](https://www.energiize.org/infrastructure?section=infrastructure.more-details.technology) which can be found at <https://www.energiize.org/infrastructure?section=infrastructure.more-details.technology>.
2. Each charging station port must be capable of providing at least 200 kW. If ALM is being utilized, each charging station port must be capable of simultaneously providing at least 150 kW when all ports are in use.
3. Each charging port must support output voltages between 250 volts DC and 920 volts DC.
4. Each charging port must have at least one permanently attached CCS connector. Additional connector types such as SAE J3400 or Megawatt Charging System (MCS) are allowed to be installed if the previous requirement is still met.
	* + All charging ports must be capable of 375 Amps.
5. The charging stations are strongly encouraged to have 480 V 3-phase power available and adequate transformer capacity to serve the DCFCs.
6. All station conduit runs installed must be sized to provide at least 350 kW.
7. The charging port must be Energy Star certified and listed on the [Energy Star Product Finder Page](https://www.energystar.gov/productfinder/product/certified-evse/results). They do not have to be certified at the time of submitting the proposal, but must be certified prior to submitting an invoice that seeks repayment for the chargers. Chargers over 350 kW are not required to be Energy Star certified.
8. The charging port must conform to ISO 15118-3, and hardware must be capable of implementing both ISO 15118-2 and ISO 15118-20.
9. Conformance testing for charger software and hardware should follow ISO 15118-4 and 15118-5, respectively.
10. The charging port must conform to OCPP 2.0.1 or later. Manufacturers must attest that the charger conforms to OCPP 2.0.1 or later by detailing it on a publicly available charger specification sheet.
11. The charging port’s networking software must connect to a central management system using OCPP 2.0.1 for the purposes of charger management and data reporting, including for reliability data reporting requirements specified in the solicitation Scope of Work.
12. The charging ports must be designed to remotely and securely switch OCPP network providers without any changes in hardware or physical site visits.
13. The charging ports must be networked and must include the following three abilities:
* Have network connectivity with one of the following:
	+ - IEEE 802.11n for high-bandwidth wireless networking, or
		- IEEE 802.3 for Ethernet for local- or wide-area network applications
* Be able to receive remote software updates, real-time protocol translation, encryption, and decryption, including:
	+ Internet Protocol (IP)-based processor which must support multiple protocols, and
	+ Compliance with Transmission Control Protocol (TCP)/IP and IPv6.
* Be able to connect to a network’s back-end software.
1. Each charging port must be covered by and included in a networking agreement for at least six (6) years.
2. The charging equipment must be certified by an Occupational Safety and Health Administration Nationally Recognized Testing Laboratory.
3. The equipment must be able to withstand extreme weather conditions, including temperature extremes, flooding, heavy rains, and high winds.
4. Display screens must be protected from malfunctions due to condensation and any local area weather conditions.
5. **Optional**: The station POS system wirelessly transmit, receive, and process near-field communications (NFC) to process the signals from contactless cards or mobile devices, i.e., “smart phones,” or accept payment through a mobile application.
6. The station’s charging components are installed.
7. The station has an energized utility connection and source of system power.
8. If renewable DERs and/or renewable energy generation equipment are included in the project, an attestation that 100% of the fuel utilized will be renewable must be submitted to the CEC (see Attachment 15, Application Form), as well as emissions testing data, as described in the SOW.
9. The station has lighting for the dispenser(s) and the station area to provide a well-lit area that is safe, convenient, and accessible for station users.
10. The station displays a sign or logo to acknowledge the public agency(ies) that provided funding for the charging station. It also has onsite signage that explains the method of sale requirements.
11. **If approved by the respective authority**: Highway and trailblazer signage is installed.
12. The station has received all required state, local, county, and city permits to build and operate.
13. The station has a guard or cover installed over the station emergency shutdown system switch(es).
14. The station is accessible to the public
* No obstructions or obstacles exist to preclude vehicle operators from entering the station premises.
* The user of the station is not required to obtain or to use access cards or personal identification (PIN) codes for the station to dispense fuel.

## Minimum Technical Requirements for Open Retail Hydrogen Refueling Stations

To be considered open retail, all hydrogen refueling stations funded under this solicitation shall, at a minimum, meet and adhere to each of the following Minimum Technical Requirements for Open Retail Hydrogen Refueling Stations during station operation.

The Recipient shall submit to the CEC a completed, signed, and dated Open Retail Station Checklist (Attachment 20) for each station as it becomes open retail. Should the open retail hydrogen refueling station come out of compliance with the Checklist, or should the design change, the Recipient shall submit to the CEC a new completed, signed, and dated Open Retail Station Checklist.

All of the following Minimum Technical Requirements for Open Retail Hydrogen Refueling Stations shall be met at the exact station address approved by the CEC.

* 1. The open retail hydrogen refueling station shall dispense hydrogen that meets California Code of Regulations (CCR), Title 4 Business Regulations, Division 9, Chapter 6 Automotive Products Specifications, Article 8, Hydrogen Fuel Sections 4180 and 4181, which adopts SAE International J2719 Hydrogen Fuel Quality for Fuel Cell Vehicles.
* Hydrogen quality tests shall be taken at each dispenser at the hydrogen refueling station every six months, at minimum.
* The hydrogen quality shall be tested at each dispenser at the station each time the hydrogen lines are either exposed or potentially exposed to contamination due to maintenance or other activities.
* The station developer shall report the date of each hydrogen quality test at each dispenser at the station and any special condition(s) and submit the results to the CAM.
	1. All hydrogen dispensers used at open retail hydrogen refueling stations shall meet CCR, Title 4, Division 9, Chapter 1, Article 1, Section 4002.9 Hydrogen Gas-Measuring Devices (3.39). The hydrogen dispensers used at open retail hydrogen refueling stations shall comply with the most current version of the Uniform Regulation for the Method of Sale of Commodities Section 2.32 as published in U.S. Department of Commerce, National Institute of Standards and Technology (NIST) Handbook 130, Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality.

Prior to dispensing hydrogen for retail sale, all dispensers installed in open retail hydrogen refueling stations for retail sale shall have either a Temporary Use Permit or Certificate of Approval issued through CTEP administered by CDFA DMS. Alternatively, installed retail hydrogen dispensing systems may have a Certificate of Conformance issued by the NTEP administered through the NCWM.

* The Recipient shall install only type-approved dispensers (i.e., which have gone through CTEP or NTEP approval) for retail sale. CDFA adopts, by reference, the most current version of the NIST Handbook 44 Specifications, Tolerances, and other Technical Requirements for Weighing and Measuring Devices except as otherwise modified, amended, or rejected by the Secretary of the U.S. Department of Commerce. CCR Title 4, Division 9, Chapter 1, Article 1, Sections 4001 and 4002, Additional Requirements, adopts California-specific amendment and modifications to NIST Handbook 44.
* When installing a type-approved hydrogen dispenser at any hydrogen refueling station funded under this solicitation, the Recipient shall notify the local county department of weights and measures of the installed device within 24 hours after the device has been placed in service.
* The newly installed dispenser shall successfully pass initial verification of accuracy class tests to receive the county weights and measures seal approving the device for retail use. Installed and approved dispensers will thereafter be subject to annual inspection and testing to ensure the device operates within its designated maintenance tolerance as indicated on the type approval certificate.
* The Applicant shall include a plan, in their application, for CDFA DMS, or an RSA (a person, firm, corporation or association that, for hire or payment of any kind, repairs commercial weighing and measuring devices) to conduct initial verification of accuracy class tests with the local county official(s) present to witness the testing of the dispenser(s) they plan to place in commercial service.
* If the Applicant plans to use an RSA, that RSA shall be registered by the CDFA DMS, and their employees (Agents) shall be licensed by DMS before performing any installation, repair, or maintenance on any weighing or measuring device.
	1. Should the station developer opt to include H35, each H35 fueling position of the open retail hydrogen refueling station shall conform to the most recent published version of SAE International J2601 (fueling protocols) at H35.

The compliance of the open retail hydrogen refueling station with SAE International J2601 shall be verified using the most recent version of ANSI/CSA Group HGV 4.3 (test methods for hydrogen fueling parameter evaluation) by working with State of California employees who use the U.S. Department of Energy Hydrogen Station Equipment Performance (HyStEP) device or a functionally equivalent hydrogen station test apparatus, or a third party tester that uses a functionally equivalent hydrogen station test apparatus.

CDFA DMS is developing regulatory language to require a station evaluation process for verifying conformance to SAE J2601 for all stations regardless of funding. The ability for a third party to perform this evaluation is one of the topics being considered. Recipients could be required to pay a fee to the State of California or a third party for station testing.

Should HyStEP, or a functionally equivalent test apparatus, be unavailable, the station developer shall evaluate a hydrogen refueling station for compliance with SAE International J2601 using best practices with the automobile original equipment manufacturers (OEMs). State of California employees and the automobile OEMs shall have access to the data generated and collected when evaluating a station with HyStEP, a functionally equivalent test apparatus, or using best practices with OEMs.

* 1. The open retail hydrogen refueling station design and operation shall conform to the most recent version of ANSI/CSA HGV 4.9 (hydrogen refueling stations).
	2. The open retail hydrogen refueling station shall conform to the most recent version of SAE International J2799 (station communications), verified through the most recent version of CSA HGV 4.3 or an equivalently accepted industry standard.
	3. The open retail hydrogen refueling station shall conform to the fueling connectors, nozzles, and receptacle requirements in the most recent version of either SAE International J2600 or ISO 17268 Note: Fast fills, (up to 7.2kg/min) require a different nozzle with a different standard (ISO 27268:2012) and are permitted for heavy duty vehicles only.

7. The open retail hydrogen refueling station components shall be installed and the station shall have a hydrogen fuel supply and a hydrogen supply and delivery agreement from a hydrogen production plant (on or off-site), with available capacity, and a second supply agreement as backup.

8. The open retail hydrogen refueling station shall be connected and send data to the Hydrogen Fuel Cell Partnership [Station Operational Status System (SOSS)](https://m.h2fcp.org/) available at https://m.h2fcp.org/. At a minimum, the following information shall be included in the data files transmitted to SOSS: H35 status (if part of the station design), H70-T40 status, the currently available H35 capacity (if included in the station design), the currently available H70-T40 capacity, the station name, and the station address. If light duty hydrogen dispensers are part of the station design, the same data described above must be transmitted to SOSS.

9. The open retail hydrogen refueling station shall have a guard or cover installed over the emergency shutdown system switch(es) to prevent unintentional station shutdown.

10. The open retail hydrogen refueling station conforms to National Fire Protection Association (NFPA) 2.

11. The open retail hydrogen refueling station conforms to one or more of the following fueling protocols or an equivalently accepted industry standard:

* J2601 – 1 Category D (greater than 10 kg tank sizes)
* J2601 – 2 HD fueling
* J2601 – 4 Ambient Temperature refueling
* J2601 – 5 MC Method for HD fueling
* JPEC-S 0003 Japanese Bus fueling protocol

12. The open retail hydrogen refueling station conforms with the American National Standards Institute (ANSI) Standards:

* Hydrogen Gas Vehicle (HGV) 2-2021
* HGV 4.1
* G 095A
* HPRD 1:21
* HGV 3.1
* CGA S1.1

13. The open retail hydrogen refueling station conforms with the ISO Standards:

* 19880-3
* 19880-4
* 19880-5
* 19880-6

14. The open retail hydrogen refueling station conforms with the California Building Codes:

* California Building Code, Part 2, Title 24
* California Electrical Code, Part 3, Title 24
* California Energy Code, Part 6, Title 24
* California Fire Code, Part 9, Title 2

15. The open retail hydrogen refueling station conforms with CDFA DMS Testing Standards:

* Handbook 44 Section 3.34
* Handbook 44 Section 3.39
* NIST Handbook 130

16. The open retail hydrogen refueling station sells fuel to the public through a point of sale (POS) that accepts, reads, and processes the magnetic stripe on commercially available credit cards, debit cards, fueling cards, and gift cards. The POS also reads EMV™ chips embedded in the cards and performs financial payment transactions.

17. **Optional**: The station POS system wirelessly transmit, receive, and process near-field communications (NFC) to process the signals from contactless cards or mobile devices, i.e., “smart phones,” or accept payment through a mobile application.

18. The station has an energized utility connection and source of system power.

19. The station has lighting for the dispenser(s) and the station area to provide a well-lit area that is safe, convenient, and accessible for station users.

20. The station displays a sign or logo to acknowledge the public agency(ies) that provided funding for the hydrogen refueling station. It also has onsite signage that explains the method of sale requirements.

21. If approved by the respective authority: Highway and trailblazer signage is installed.

22. The station has received all required state, local, county, and city permits to build and operate.

23. The station is accessible to the public:

* No obstructions or obstacles exist to preclude vehicle operators from entering the station premises.
* The user of the station is not required to obtain or to use access cards or personal identification (PIN) codes for the station to dispense fuel.
* No formal or registered station training is required for individuals to use the hydrogen refueling station.

## Eligible Project Costs

Funding will support new installation of in-ground fueling infrastructure for battery electric or hydrogen fuel cell MDHD vehicles and/or port equipment and/or off-road equipment (e.g. gantries, cargo handling equipment, etc.).

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

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

1. For Electric Vehicle Charging Infrastructure (CEC reimbursement or match share):
	* + Electric vehicle supply equipment (EVSE)
		+ Transformers
		+ Electric panels
		+ Conduit
		+ Wiring
		+ Meters
		+ Installation costs
		+ Point of Sale Systems
		+ Stub-outs
		+ Demand management equipment
		+ Planning and engineering design
		+ Commissioning
		+ Utility service upgrades
		+ Project management[[3]](#footnote-4)
		+ Electric vehicle charging infrastructure workforce development and training[[4]](#footnote-5)
		+ Engagement and outreach[[5]](#footnote-6)
2. For Hydrogen Refueling Infrastructure (CEC reimbursement or match share):
	* + Compressors
		+ Cryogenic pumps
		+ Dispenser with hose and nozzles
		+ High pressure hydrogen storage tubes
		+ Liquid hydrogen storage tanks/cryogenic tanks
		+ Shipping
		+ Installation costs
		+ Point of Sale Systems
		+ Planning and engineering design
		+ Commissioning
		+ Servicing
		+ Project management[[6]](#footnote-7)
		+ Hydrogen refueling infrastructure workforce development and training[[7]](#footnote-8)
		+ Engagement and outreach[[8]](#footnote-9)

Applicants can review the EnergIIZE Commercial Vehicles [Technology Catalog](https://www.energiize.org/infrastructure?section=infrastructure.more-details.technology) for a list of commercially-available electric vehicle charging infrastructure technologies that qualify as eligible costs, found at https://www.energiize.org/infrastructure?section=infrastructure.more-details.technology.

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

* + - Level 2 or greater chargers for light-duty electric vehicle charging
		- Light-duty H70 dispensers for passenger FCEVs
		- Renewable hydrogen production equipment
		- Warranties for term of the agreement
		- Equipment maintenance for term of the agreement
		- Network agreement with network provider
		- Make-ready equipment
		- Signage
		- Tests for regulatory compliance
		- Permitting, insurance, land purchases, and land leases
1. Commercially available energy storage, renewable distributed energy resources (DER), and/or renewable energy generation equipment such as photovoltaic solar panels separately metered for electric charging. Mobile refuelers and chargers and temporary power solutions, such as 100% renewable linear generators (a linear generator may use 100% renewable natural gas, 100% renewable hydrogen, or a combination of both totaling 100% renewable fuel)[[9]](#footnote-10) (match share only).
2. Zero-emission vehicles and vehicle modifications to support charging, i.e., pantograph and wireless/inductive charging applications
applicable to the project (match share only).
3. If both technology types are installed at the location(s), the technology type that is not applied for in this solicitation may be used as match. For example, if the Applicant submits a charging project, if hydrogen dispensers are included with that project, they may be eligible as match (match share only).

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

* + - Fuel, including the cost of transporting fuel to station
		- Off-site fueling infrastructure
		- Cost of electricity/power
		- Vehicle-related expenses (for example, costs for vehicle parts, labor for vehicle repairs, etc.)
		- Market, literature, or technology surveys, or meta-analysis studies
		- Research and development
		- Marketing and promotional activities
		- Software development
		- Lab-scale research and validation
		- Proof of concepts, functions, and prototype development
		- Nonrenewable DERs, such as generators that use nonrenewable fossil fuels
		- Distribution grid or other equipment costs that are otherwise covered by programs or tariff rules of the electric utilities
		- Projects that are mandated by any local, regional, state, or federal law, rule, or regulation
		- Projects that help the Applicant meet a performance requirement mandated by local, regional, state, or federal law, rule, or regulation
		- Paper studies or research projects (e.g., a study which assess the cost and feasibility of charging/refueling station installations along certain corridors)
		- Compressed natural gas (CNG) fueling infrastructure or any fueling infrastructure used to support vehicles other than MDHD battery electric or fuel cell electric vehicles or port equipment or off-road equipment.

## Match Funding Requirements

1. **Total Match Share Requirement**

Applications must include a minimum 25 percent total match share of the total allowable project costs for this solicitation.

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

* Total match share must conform to the “Cash Match Share Requirement” contained in this solicitation.
* All match share expenditures must conform to the terms and conditions of this solicitation and the resulting grant agreement.
* 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.
* During the term of the grant agreement, Recipients will be required to document and verify all match share expenditures through invoices submitted to CEC.
* Match share funding may be in the form of cash or in-kind contributions such as donated labor hours, equipment, facilities, and other property.
* 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).
* Match share expenditures (cash and/or in-kind) must be documented, reasonable, allowable, and allocable to the project as determined by CEC.
* Match share expenditures are allowable under an agreement only if they are incurred after execution of an awarded agreement.
1. **Cash Match Share Requirement**

Applications must include a minimum 50 percent cash match share. In other words, of the total match share committed to the project, at least 50 percent must be cash match.

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

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

|  |  |  |  |
| --- | --- | --- | --- |
| **Total Project Costs** | **CEC Funds Requested** | **Minimum Match Required per the Solicitation** | **Minimum Cash Match Required** |
| $6,000,000 | $4,500,000 | $1,500,000 | $750,000 |
| $6,666,666 | $5,000,000 | $1,666,667 | $833,333 |
| $9,333,333 | $7,000,000 | $2,333,333 | 1,166,667 |
| $13,000,000 | $9,750,000 | $3,250,000 | $1,625,000 |

1. **In-Kind Match Share**

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

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

1. **Match Share Restrictions**
2. ***Other Sources of CEC Funding*** – Other sources of CEC funding may not be claimed as match share. This includes block grants funded by the CEC.
3. ***Property Not Owned by the Applicant*** – Donated property may be claimed as match based on the fair market value of renting or leasing the property. Fair market value is based on rental costs of comparable property (if any), market conditions in the area, alternatives available and the type, life expectancy, condition, and value of the property.
4. ***Existing Property Owned by the Grant Recipient*** – Applicants may use the property’s depreciation expense as a method to allocate the value of the property to the project. Valuation will need to be documented to support the initial acquisition costs as well as the method of depreciation.
5. ***Valuation of Land*** –Land cannot be depreciated. If the value of land is claimed as match, the Applicant must provide documentation to support a fair market value for the use of the land (i.e., rent or lease cost) for the time period it is used. Appraised value of land cannot be used since this represents the full value of the land if it is sold which includes value beyond the term of the proposed project.
6. ***Property Owned by a Related Party*** –Related parties are individuals or other entities that are able to control or substantially influence the actions of the Applicant and includes spouses, board members, family members of principals or employees of the Applicant as well as property owned by principals/employees of the Applicant. Because an agreement between an Applicant and a related party is a “less than arms-length” transaction, Applicants must disclose the relationship between the Applicant and the related party and be able to support the fair market value of property that is claimed as match.

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

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

## Unallowable Costs (Reimbursable or Match Share)

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

1. ***Forgone Profit*** – For example, if a company usually charges 10% profit but only charges 4% to CEC the unclaimed difference is not an allowable item of cost.
2. ***Forgone Rent*** – For example, rent that is not paid is not an allowable item of cost.
3. ***Discounted or Refunded Equipment Costs*** – For example, a claim that equipment costs $10,000 but the grant recipient only pays $6,000 due to some “special” discount. The difference of $4,000 is not an allowable match share expense. Another example is if the grant recipient actually pays $10,000 but the vendor refunds $4,000 – only the net $6,000 is an allowable item of cost.
4. ***Forgone Salary, Fringe, Indirect or Other Types of Cost*** – For example, a person normally charges or is paid $100 per hour, but will only charge $50 per hour towards the CEC award. Only actual costs incurred and paid to the employee are allowable. Therefore, if an employee is ***actually*** paid $100 per hour and CEC only reimburses at $40 per hour, then the unreimbursed $60 per hour is an allowable match share cost because this is an actual payment as opposed to a forgone salary amount. Volunteer labor (i.e., labor from a person who does not receive any compensation for their labor) may be an allowable in-kind match share expense if the value of the labor is reasonable and justified.
5. ***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.
6. ***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.

# 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 process. Please emailECAMS.SalesforceSupport@energy.ca.gov for support.

ECAMS allows Applicants to complete and submit their application to the CEC prior to the date and time specified in this solicitation. Files uploaded to the system must be in Microsoft Word (.doc format) and Excel Office Suite formats unless originally provided in the solicitation in another format. PDF format is acceptable. The completed Proposal Budget Template, Attachment 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 20 pages. The Cover Page, Table of Contents, and Executive Summary do 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 |
| Localized Health Impacts Information Form | Attachment 11 |
| Past Performance Reference Form(s) | Attachment 12 |
| Applicant Declaration | Attachment 13 |
| Letter of Confirmation from Utility | Attachment 14 |
| Application Form | Attachment 15 |
| Evaluation Criteria for Priority Populations | Attachment 17 |

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 cover page, table of contents, and an Executive Summary (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.

The Executive Summary must identify the seaport or land port of entry that the infrastructure will serve and include the project location, what equipment/vehicles will be supported by the proposed infrastructure, proposed number of chargers or hydrogen refueling dispensers, number of charging ports or hydrogen refueling nozzles, power level of each charging port or the dispensing pressure level of each hydrogen refueling nozzle, and the types of chargers or dispensers to be installed. The Executive Summary must also include a table summarizing the numbers of chargers or hydrogen refueling dispensers proposed, what fleet(s) or equipment the chargers are supporting, and the costs of the chargers. The Executive Summary must also state any existing infrastructure located on site.

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. **Project Readiness**
2. Describe the proposed project site and document site control. Site control includes, but is not limited to leases, ownership, or access rights. If the project site(s) have not been secured, describe the process for obtaining a host agreement or lease and provide an estimated timeline for securing all sites and how this process can be expedited.
3. Include information documenting progress towards achieving compliance under the California Environmental Quality Act (CEQA). If CEQA compliance has not been obtained, applications must include a schedule to complete CEQA activities for the proposed project, as well as discuss the results of communications or in-person meetings with the Lead Agency. Indicate current progress towards CEQA compliance and timelines for completion.
4. Include information about the permitting required for the project and whether or not the permitting has been completed. If the permitting has not been completed, applications must include a permitting schedule that ensures the successful project completion within the timeframes specified in this solicitation, as well as discuss the results of communications or in-person meetings with the AHJ(s) over the project.
5. Describe how the proposed project has coordinated with its respective utility provider for utility connection and site capacity. Provide a Letter of Confirmation from Utility (Attachment 14). Describe how the Applicant will minimize time to energize the sites.
6. If new MDHD ZEVs will be acquired or retrofitted for this project, describe the estimated timeline for acquisition or retrofitting of these vehicles. Include details on how this process can be expedited.
7. Describe the estimated timeline for obtaining chargers or hydrogen refueling dispensers and other equipment needed for infrastructure installation. Include details on how this process can be expedited.
8. Describe the estimated timeline for charger or hydrogen refueling dispenser installation and commissioning. Include details on how this process can be expedited.
9. Describe how the equipment to be deployed is appropriate for the proposed project and leads to successful deployment of zero-emission MDHD vehicles. Applications shall describe equipment manufacturers, connector/refueling standards, fuel delivery methods (for hydrogen projects), security measures, and safety standards. If solar or storage equipment is included in the project, describe how the equipment to be deployed will lower the cost of electricity for charging or hydrogen fuel for customers. If renewable DERs and/or renewable energy generation equipment are included in the project, describe how the equipment will be deployed to accelerate project timelines and provide a plan for the equipment, including how the equipment will be utilized after the project has completed and how the applicant is committed to the long-term use of zero-emission and/or renewable fuel.
10. Describe how the tasks in the Scope of Work and the dates in the project schedule are complete, sequential, and will lead to successful and scheduled completion of the project.
11. Describe planned community outreach, including educational efforts to explain the proposed project to the public and outreach and discussions with fire marshals (if applicable).
12. Describe potential barriers or limitations to successful project completion and how they will be addressed.
13. **Team Experience and Qualifications**
14. Describe the project team’s qualifications (including relevant expertise, experience, and skill sets) and suitability to the tasks described in the proposed scope of work. Include past experience in establishing site control, obtaining equipment and materials, deploying resources to expedite project completion, and evaluating projects.
15. Describe how the project team has experience working with AHJs and utility personnel to overcome permitting and planning barriers such as the need to make site layout changes, utility upgrades, incorporate additional requirements, or respond to local community feedback.
16. Discuss the team’s ability to meet deadlines and complete milestones associated with electric and/or hydrogen vehicle infrastructure projects.
17. Provide examples of how the Applicant and project team have demonstrated exceptional administrative and technical performance under existing or prior funding agreements (CEC and/or other public agencies) (Attachment 12), if the Applicant or project team worked on such projects, including:
* Adherence to schedules and due dates.
* Effective and timely issue resolution.
* Quality of deliverables.
* Objectives of past projects have been attained.
* Honest, timely, and professional communication with staff from the funding entity.
* Effective coordination with project partners, subrecipients, vendors, and other stakeholders.
* Timely and accurate invoicing.
1. **Project Budget**
2. Explain how the proposed budget is justifiable and reasonable relative to the project goals, objectives, and tasks defined in the scope of work.
3. Describe how the project will minimize costs. Describe how administrative and overhead expenses are minimized.
4. Calculate and show the CEC reimbursable cost per charger or hydrogen refueling dispenser and cost per dispensed kilowatt-hour or kilogram. Document your assumptions.
5. Discuss how the proposed project cost effectively reduces greenhouse gas (GHG) emissions. Calculate dollars of CEC funding divided by the amount of GHGs reduced annually.
6. Describe match funding sources and commitments supported by verifiable documentation (attach letter(s) of commitment separately) and how these funds will lead to project success. Explain how CEC funds requested compared to match provided maximizes the use of public funds.
7. Include rationale as to why state funds are necessary for the proposed project and identify why the proposed use of state funds is crucial to project success.
8. **Economic, Social, and Environmental Benefits**
9. Describe how the proposed project will support the larger economic and reduced emission goals of the port and compliance with state regulations.
10. Provide the total weight of CO2 displaced in metric tons resulting from the proposed project on an annual basis and substantiate calculations.
	* + Provide the source and carbon intensity of the project’s dispensed fuel in grams of CO2-equivalent per megajoule (gCO2e/MJ). Fuel dispensed must be calculated on an annual basis using a method that conforms to the California Air Resources Board’s (CARB’s) Low Carbon Fuel Standard (LCFS). Provide assumptions and calculations to substantiate claimed carbon intensities. The CARB [calculation methodology guidance](https://ww2.arb.ca.gov/our-work/programs/low-carbon-fuel-standard/lcfs-guidance-documents-user-guides-and-faqs) is available at: <https://ww2.arb.ca.gov/our-work/programs/low-carbon-fuel-standard/lcfs-guidance-documents-user-guides-and-faqs>.
			- * If the carbon intensity pathway of the proposed project has already been calculated through CARB’s LCFS process, Applicant must so state and provide the carbon intensity of the project’s fuel and the pathway identifier(s) from the Low Carbon Fuel Standard [Reporting Tool and Credit Bank & Transfer System](https://ssl.arb.ca.gov/lcfsrt/Login.aspx) (LRT-CBTS) (<https://ssl.arb.ca.gov/lcfsrt/Login.aspx>), in lieu of the above.
				* For hydrogen projects, calculate and present the carbon intensity of the hydrogen fuel to be dispensed at the proposed station(s), measured well-to-gate, consistent with the clean hydrogen federal tax credit created by Section 45V of Title 26 of the United States Code.
				* Provide the estimated utilization rates of infrastructure on a daily and annual basis and substantiate calculations. Assumptions and calculations should include number of ZEVs utilizing infrastructure per day, average charging time, and average power utilized per sessions. For hydrogen refueling stations, provide average refueling time for an average fill.
				* If located in a community with a priority population, describe how the proposed project will provide direct, meaningful and assured benefits to priority populations and if the project will displace current sources of emissions. Describe how benefits to these communities will be evaluated. (NOTE: For hydrogen refueling stations, 50% of allocated funds shall directly benefit or serve residents of low-income communities and disadvantaged communities as defined by CalEnviroScreen.)
				* Describe how the proposed infrastructure for the proposed project will incorporate a plan for resiliency in order to carry out the goals of the project during an emergency.
				* Describe how the proposed project will engage regional community-based organizations, community leaders, and potentially affected local residents in the planning process and education on the benefits of ZEV transportation.
				* Describe how the proposed project will expand certified businesses and California supply chains for California-based businesses, result in high-quality jobs in terms of compensation, duration, and related project payroll, and increase state and local tax revenues.
11. **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 by no later than **October 31, 2029**, 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:

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

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

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

* + 1. Detailed instructions for completing these forms are included at the beginning of Attachment 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. Current policy dictates that 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.
	3. **Station Site Owner Letter of Commitment**: Applications must include a letter of commitment from the current owner of the site for each proposed station location. The letter must be signed and dated by the site owner or representative who is duly authorized to commit the site as a location of a station. The letter must also contain a telephone number and email address to allow the CEC to contact the site owner or representative to confirm the commitment and authority to commit to the proposed project. If a proposed site is owned AND operated by the same entity or individual, the letter shall state so.
	4. **Station Site Operator Letter of Commitment**: If a proposed site is operated by a different entity or individual than the site owner, applications must also include a letter of commitment from the current operator of the site for each proposed station location. The letter must be signed and dated by a representative of the site operator and must contain a telephone number and email address to allow the CEC to contact the site operator to confirm commitment and authority to commit to the proposed project.
1. **Letters of Support (Attachment 9 - optional)**

Applicants are encouraged to submit letter(s) of support, including letter(s) from the seaport or land port of entry being supported in the Application, 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. **Additional Requirements**
* **Time is of the essence.** Funds available under this solicitation have encumbrance deadlines and the CEC must approve proposed awards at a business meeting (usually held monthly) prior to those deadlines, in order to avoid expiration of the funds. Prior to approval and encumbrance, the CEC must comply with CEQA. To comply with CEQA, the CEC must have CEQA-related information from Applicants and sometimes other entities, such as local governments, in a timely manner. Unfortunately, even with this information, the CEC may not be able to complete its CEQA review prior to the encumbrance deadline for every project. For example, if a project requires an Environmental Impact Report, the process to complete it can take many months. For these reasons, it is critical that Applicants organize project proposals in a manner that minimizes the time required for the CEC to comply with CEQA and provide all CEQA-related information to the CEC in a timely manner such that the CEC is able to complete its review in time for it to meet its encumbrance deadline.
* **Reservation of right to cancel proposed award.** In addition to any other right reserved to it under this solicitation or that it otherwise has, if the CEC determines, in its sole and absolute discretion, that the CEQA review associated with a proposed project would not likely be completed prior to the encumbrance deadline, and that the CEC’s ability to meet its encumbrance deadline may thereby be jeopardized, the CEC may cancel a proposed award and award funds to the next highest scoring Applicant in the same Applicant Group, if any, or the CEC may shift funds to the other Applicant Group, regardless of the originally proposed Applicant’s diligence in submitting information and materials for CEQA review. Examples of situations that may arise related to CEQA review include but are not limited to:
	+ - Example 1: If another state agency or local jurisdiction, such as a city or county, must take the role of lead agency under CEQA, the CEC’s review may be delayed while waiting for a determination from the lead agency.
		- Example 2: If the proposed work is part of a larger project for which a detailed environmental analysis has been or will be prepared by another state agency or local jurisdiction, the CEC’s review may be delayed as a result of waiting for a supplemental or initial analysis, respectively, from the other agency.
		- Example 3: If the nature of the proposed work is such that a project is not categorically or otherwise exempt from the requirements of CEQA, and an initial study or other detailed environmental analysis appears to be necessary, the CEC’s review, or the lead agency’s review, may take longer than the time available to encumber the funds. If an initial study or environmental impact report has already been completed by another state agency or a local jurisdiction, serving as the lead agency, the Applicant must ensure that such an analysis covers the work in the proposed project, or must obtain a revised analysis and determination from the lead agency reviewing the proposed project.
		- Example 4: If the proposed project clearly falls under a statutory or categorical exemption or is a project for which another state agency or local jurisdiction has already adopted a CEQA finding that the project will cause no significant effect on the environment, the project will likely have greater success in attaining rapid completion of CEQA requirements.
* The above examples are not exhaustive of instances in which the CEC may or may not be able to comply with CEQA within the encumbrance deadline and are only provided as further clarification for potential applicants. Please plan project proposals accordingly.
1. **Localized Health Impacts Information Form (Attachment 11)**

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

1. **Past Performance Reference Form(s) (Attachment 12)**

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 13)**

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.

1. **Letter of Confirmation from Utility (Attachment 14)**

Applicants must submit a letter from the location(s) utility provider describing the coordination effort with the respective utility provider for utility connection, site capacity, and projected time to energize the site.

1. **Application Form (Attachment 15)**

Applicants must complete and submit an Application Form.

This form requests the Applicant provide the following: applicant group, title of project, site address, brief project description, requested amount of CEC-funding, match funding amount(s), project manager contact information, CEQA compliance information, key partners, and other project information needed to evaluate the proposal.

1. **Evaluation Criteria for Priority Populations Form (Attachment 17)**

Applicants must complete and submit an Evaluation Criteria for Priority Populations Form.

# 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.[[10]](#footnote-11) 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 CEC’s 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.

a. **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 project meets the match share requirements as described in Section II.F.
 | [ ]  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 poor or delayed communication when significant issues or setbacks were experienced that materially and negatively impacted the project. For example, delays in informing the CEC when the Applicant experiences loss of a key project partner or site control may be considered significant.
1. **Grounds to Reject an Application or Cancel an Award**

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

1. The application contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Applicant.
2. The application is intended to erroneously and fallaciously mislead the State in its evaluation of the application and the attribute, condition, or capability is a requirement of this solicitation.
3. The application does not comply or contains caveats that conflict with the solicitation and the variation or deviation is material, or it is otherwise non-responsive.
4. The CEC, in its sole discretion, determines the Applicant’s financial condition may materially impact its ability to complete the proposed project.
5. **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 applications obtaining at least the minimum passing score in each Applicant Group (see Section I.G.) in ranked order until all funds available in each Applicant Group are 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. |
| **% of Possible Points** | **Interpretation** | **Explanation for Percentage Points**  |
| 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** |
| **Project Readiness**Applications will be evaluated on the degree to which:* Site control is secured.
* The proposed project has achieved compliance under CEQA.
* Required permitting for the proposed project has been completed.
* Coordination with the respective utility provider for utility connection demonstrates accelerated timeline to energize the sites.
* The equipment to be deployed meets the Charger Port/Hydrogen Refueling Dispenser Minimums and accelerates project timelines.
* The infrastructure to be deployed is appropriate for the project’s vehicle population and leads to successful deployment of zero-emission MDHD vehicles.
* A clear and realistic timeline is provided for the acquisition or retrofitting of MDHD ZEVs. Strategies to expedite the vehicle acquisition or retrofitting process are identified.
* A clear and feasible timeline is provided for obtaining chargers and/or hydrogen refueling dispensers, and/or other necessary equipment. Strategies are identified to expedite the procurement and installation process.
* A clear and realistic timeline is provided for the installation and commissioning of chargers and/or hydrogen refueling dispensers.
* Equipment manufacturers, connector/refueling standards, fuel delivery methods (for hydrogen projects), security measures, and safety standards are appropriate for the proposed project and lead to successful deployment of zero-emission MDHD vehicles.
* The project will effectively deploy renewable DERs and/or renewable energy generation equipment to accelerate timelines. A clear plan is provided for the use, management, and long-term commitment to zero-emission and/or renewable fuel equipment beyond project completion.
* If solar or storage equipment is included in the project, proposed project describes how the equipment to be deployed will lower the cost of electricity for charging or hydrogen fuel for customers.
* The tasks in the Scope of Work contribute to the successful and timely completion of the proposed project.
* Planned community outreach is appropriate and comprehensive and contributes to the overall success of the proposed project.
* Major risks and barriers to successful project completion are identified and mitigated.

**NOTE: Project Readiness must obtain a minimum passing score of 24.5 points (70% percent) within this evaluation criterion to be eligible for funding.** | **35** |
| **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) matches the suitability to the tasks described in the proposed Scope of Work.
* The project team has verifiable experience working with AHJ and utility personnel to overcome permitting and planning barriers.
* The project team demonstrates it has sufficient personnel and organizational capacity to complete milestones associated with electric and/or hydrogen vehicle infrastructure projects.
* The Applicant and project team have demonstrated exceptional administrative and technical performance under existing or prior funding agreements (CEC and/or other public agencies), if the Applicant or project team worked on such projects, including:
* Adherence to schedules and due dates.
* Effective and timely issue resolution.
* Quality of deliverables.
* Objectives of past projects have been attained.
* Honest, timely, and professional communication with staff from the funding entity.
* Effective coordination with project partners, subrecipients, vendors, and other stakeholders.
* Timely and accurate invoicing.
 | **20** |
| **Project Budget**Applications will be evaluated on the degree to which:* The proposed budget is justifiable and reasonable relative to the project goals, objectives, and tasks defined in the scope of work.
* Administrative and overhead expenses are minimized.
* The proposed project cost effectively deploys ZEV infrastructure.
* The proposed project cost effectively reduces GHG emissions.
* The proposed match funding commitments are documented and verifiable.
* The Applicant demonstrates the need for state funding for the proposed project.
 | **20** |
| **Economic, Social, and Environmental Benefits**Applications will be evaluated on the degree to which:* The proposed project supports the larger economic and reduced emission goals of the port and compliance with state regulations.
* The proposed project reduces carbon intensity relative to the relevant fossil fuel baseline as measured in gCO2e/MJ.
* The proposed project reduces total GHG emissions (metric tons).
* The infrastructure installed under the proposed project will be utilized by MDHD vehicles. Estimated utilization rates are provided and calculations are substantiated.
* The proposed project provides air quality benefits, as well as health and safety, access, education, financial benefits, economic development, and consumer protection to California’s priority populations or adjacent communities.
* The proposed project addresses resiliency in order to carry out the goals of the project during an emergency.
* The proposed project engages regional community-based organizations, community leaders, and potentially affected local residents in the planning process and education on the benefits of ZEV transportation.
* The proposed project expands certified businesses and California supply chains for California-based businesses, result in high-quality jobs in terms of compensation, duration, and related project payroll, and increase state and local tax revenues.
 | **25** |
| **Total Possible Points** | 100 |
| **Minimum Passing Score (70%)** | 70 |

## Tie Breakers

If the score for two or more applications are tied, the application with a higher score in the Project Readiness 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 |
| AHJ | Authorities having jurisdiction (AHJ) are governmental or non-governmental entities responsible for enforcing building codes, fire codes, and other regulations in a given jurisdiction. |
| Application | Formal written response to this document from applicant |
| CAM | Commission Agreement Manager |
| CAO | Commission Agreement Officer |
| CDFA | California Department of Food and Agriculture |
| CEC | California Energy Commission |
| Charging Port | The system within a charger that charges one electric vehicle. A charging port may have multiple connectors, but it can provide power to charge only one electric vehicle through one connector at a time. |
| Charging Station | The area in the immediate vicinity of one or more chargers that includes the chargers, supporting equipment, parking areas adjacent to the chargers, and lanes for vehicle ingress and egress. A charging station could comprise only part of the property on which it is located. |
| DAC | Disadvantaged Community |
| DCFC | A direct current fast charger (DCFC) is a charger that enables rapid charging by delivering direct current electricity directly to an electric vehicle’s battery. |
| DER | Distributed Energy Resources (DER) are decentralized generation or storage devices connected to the distribution grid. |
| DMS | Division of Measurement Standards |
| ECAMS | Energy Commission Agreement Management System |
| EV | Electric vehicle. A vehicle that is either partially or fully powered on electric power received from an external power source. |
| EVITP | Electric Vehicle Infrastructure Training Program. AB 841 requires EVITP training and certification to install EV charging infrastructure and equipment that is on the customer side of the electrical meter that is funded or authorized by certain state entities. |
| EVSE | Electric vehicle supply equipment (EVSE) is also referred to as a charger as defined. |
| FCEV | A fuel cell electric vehicle (FCEV) is a vehicle that uses an electric motor for propulsion, much like an electric vehicle, but powers the electric motor using hydrogen fuel cells rather than an onboard battery. |
| GAAP | Generally Accepted Accounting Principles |
| GGRF | Greenhouse Gas Reduction Fund |
| GHG | Greenhouse gas |
| HSP | Hydrogen Safety Panel |
| LCFS | Low Carbon Fuel Standard (LCFS) is a standard to reduce the carbon intensity of transportation fuel used in California. |
| LIC | Low Income Communities |
| MDHD | Medium- and heavy-duty |
| PNNL | Pacific Northwest National Laboratory |
| Priority Population | Disadvantaged and/or low-income community |
| Solicitation | Grant Funding Opportunity, which refers to this entire solicitation document and all its attachments and exhibits |
| State | State of California |
| Zero-Emission | An engine, motor, process, or other energy source, that emits no waste products that pollute the environment or disrupt the climate. |
| ZEV | Zero-Emission Vehicle. Vehicle which produces no emissions from the on-board source of power (e.g., an electric 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](https://www.energy.ca.gov/funding-opportunities/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 in the same Applicant Group. The CEC may shift remaining funds to the other Applicant Group if funding remains available.

If proposed for an award, the CEC reserves the right to request information it deems appropriate to evaluate the financial condition of a proposed awardee prior to approval of a grant award. If CEC, in its sole discretion, determines that a proposed awardee’s financial condition may materially impact its ability to complete the proposed project, CEC reserves the right to cancel the proposed award.

CEC must formally approve all proposed grant awards. Clean Transportation Program agreements will 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. For example, at a site with 20 chargers, if only five chargers are actively in use, those five chargers would each need to deliver 200 kW output if requested by the vehicle. However, if all 20 chargers are in use, all chargers must simultaneously be capable of 150 kW output. [↑](#footnote-ref-2)
2. “Commercial” in this context applies to “operations in which the amount dispensed affects customer charges or compensation” <https://www.cdfa.ca.gov/dms/docs/publications/2024/2024_Combined_FRM.pdf>. [↑](#footnote-ref-3)
3. Eligible reimbursable costs for project management, engagement and outreach, and electric vehicle charging infrastructure workforce development and training may not exceed a combined total of 7.5% of total CEC grant funds. [↑](#footnote-ref-4)
4. Ibid. [↑](#footnote-ref-5)
5. Ibid. [↑](#footnote-ref-6)
6. Eligible reimbursable costs for project management, engagement and outreach, and hydrogen refueling infrastructure workforce development and training may not exceed a combined total of 7.5% of total CEC grant funds. [↑](#footnote-ref-7)
7. Ibid. [↑](#footnote-ref-8)
8. Ibid. [↑](#footnote-ref-9)
9. Assembly Bill 1921 (Papan, Chapter 556, Statutes of 2024). [Renewable Electrical Generation Facilities: Definition](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1921). https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=202320240AB1921. [↑](#footnote-ref-10)
10. The Past Performance Evaluation is available on the CEC website at: https://www.energy.ca.gov/media/6595 [↑](#footnote-ref-11)