**GRANT FUNDING OPPORTUNITY**

**Clean Transportation Program**

**Charging Interoperability and Collaboration Yard (“Charge Yard”)**



GFO-24-609 – **ADDENDUM 01**

[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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##### Attachments

1 - Project Narrative

2 - Scope of Work Template

3 - Scope of Work Instructions

4 - Schedule of Products and Due Dates

5 - Budget Forms

6 - Resumes

7 - Contact List

8 - Letters of Commitment

9 - Letters of Support

10 - California Environmental Quality Act (CEQA) Worksheet

11 - Localized Health Impacts Information

12 - Past Performance Reference Form

13 - Applicant Declaration

14 - Special Terms and Conditions for California Native American Tribes and California Tribal Organizations Serving California Native American Tribes with Sovereign Immunity

(note – we are not including the standard T&Cs as an attachment)

# I. Introduction

## Purpose of Solicitation

This is a competitive grant solicitation. The California Energy Commission’s (CEC’s) Clean Transportation Program announces the availability of up to $4 million in grant funds for projects that will provide an open and neutral space for industry collaboration, knowledge sharing, interoperability testing, and conformance testing for electric vehicle charging equipment.

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

## Commitment to Diversity

The CEC is committed to ensuring that participation in its Clean Transportation Program 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 the 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.

*Please note the following table has been updated in Addendum 1. Added language appears in* **bold underline***.*

| **ACTIVITY** | **ACTION DATE** |
| --- | --- |
| Solicitation Release | 14 March 2025 |
| Pre-Application Workshop 9:00 a.m. – 11:00 a.m.\* | 4 April 2025 |
| Deadline for Written Questions by 5:00 p.m.\* | 18 April 2025 |
| Anticipated Distribution of Questions/Answers | **[~~1~~~~st~~]3rd** Week of May |
| Support for Application Submission in the Energy Commission Agreement Management System (ECAMS) until 5:00 p.m. | **Ongoing until [~~4~~]16 June 2025** |
| **Deadline to Submit Applications by 11:59 p.m.\*** | [**~~4~~**]**16 June 2025** |
| Anticipated Notice of Proposed Awards Posting | 20 August 2025 |
| Anticipated CEC Business Meeting | September 2025 |
| **Agreement Term End** | **January 2031** |

## 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. The application obtaining the highest passing score will be recommended for funding. The CEC anticipates recommending one award under this solicitation.

If the funds available under this solicitation are insufficient to fully fund a grant proposal, CEC reserves the right to recommend partially funding that proposal. In this event, the proposed Applicant/Awardee and Commission Agreement Manager (CAM) shall meet and attempt to reach agreement on a reduced scope of work commensurate with the level of available funding.

## Availability of Funds

A total of $4 million is available for awards under this solicitation. CEC, at its sole discretion, reserves the right to increase or decrease the amount of funds available under this solicitation.

## Maximum Award Amounts

Projects are eligible for an award up to **[~~50~~]** **67** percent of the total project costs or $4 million, whichever is less.

## Maximum Number of Applications

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

## Pre-Application Workshop

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

**4 April 2025**

9:00am - 11am

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/87599260706?pwd=ac6lsGOgzJ8pbmtVYbKAQJfH2o7wQJ.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:** 875 9926 0706

**Meeting Password:**  347913

**Topic:** Charging Interoperability and Collaboration Yard Pre-application Workshop

**Telephone Access Only:**

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

**Access by Mobile Device:**

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

**Technical Support:**

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

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

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

## Questions

During the solicitation process, for questions only related to submission of applications in ECAMS, please contact [ECAMS.SalesforceSupport@energy.ca.gov](mailto:ECAMS.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](mailto:ECAMS.SalesforceSupport@energy.ca.gov) at any time prior to 5:00 p.m. of the application deadline date.

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

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

## Contact Information

Chester Hong

Commission Agreement Officer

California Energy Commission

715 P Street, MS-18

Sacramento, California 95814

E-mail: [Chester.Hong@energy.ca.gov](mailto:Chester.Hong@energy.ca.gov)

## Reference Documents

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

* [CEC Statement on Charging Interoperability](https://efiling.energy.ca.gov/GetDocument.aspx?tn=253106) <https://efiling.energy.ca.gov/GetDocument.aspx?tn=253106>
* [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>

# II. Eligibility Requirements

## Applicant Requirements

1. **Eligibility**

This solicitation is open to private or public entities. The applicant may be a single entity or may consist of multiple entities bidding as a group. Investor-owned utilities, publicly-owned utilities, universities and university-operated facilities are not eligible for this solicitation.

The Charge Yard facility must be located in California. However, the applicant does not need to be headquartered in California.

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: Special Terms and Conditions for California Native American Tribes and California Tribal Organizations serving California Native American Tribes with Sovereign Immunity, in addition to the standard terms and conditions; 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 standard terms and conditions are located at [CEC's funding resources website](http://www.energy.ca.gov/research/contractors.html).

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

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

* + 1. Authorizes the Tribe or Tribal Organization to enter into the proposed agreement, including accepting the Special Terms and Conditions for California Native American Tribes and California Tribal Organizations Serving California Native American Tribes with Sovereign Immunity, including the Limited Waiver of Sovereign Immunity and Consent to Jurisdiction (see Attachment X); and
    2. Approves a limited waiver of tribal sovereign immunity, to the extent that any such sovereign immunity exists, for any and all claims by the CEC that may arise relating to this Agreement and any remedies therefore under the laws of the state of California and the laws of the United States of America; and
    3. Consents to personal jurisdiction over the Tribe or Tribal Organization, and consents to venue in any court of the State of California and any federal court sitting in the State of California; and waives any and all claim that the Tribe or Tribal Organization may have, including without limitation that such court is an inconvenient forum, for the purposes of any proceeding related to this Agreement; and, with respect to a proceeding in a court of the State of California or a federal court sitting in the State of California, any requirement that tribal remedies must be exhausted; and
    4. Delegates authority to execute the proposed agreement to an appropriate individual.

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

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

**Reservation of right to cancel proposed award.** Funds available under this

solicitation have encumbrance deadlines which the CEC must meet in order

to avoid expiration of the funds. In addition to any other rights reserved to it

under this solicitation or that it otherwise has, the CEC reserves the right to

cancel a proposed award if it determines, in its sole and absolute discretion, that the documentation described in sections (i)-(iv) above would likely not be provided prior to an encumbrance deadline, and that the CEC’s ability to meet its encumbrance deadline may thereby be jeopardized. In this instance, the CEC may cancel the proposed award and award funds to the next highest

scoring applicant.

1. **California Secretary of State Registration**

All corporations, limited liability companies (LLCs), limited partnerships (LPs) and limited liability partnerships (LLPs) that conduct intrastate business in California are required to be registered and in good standing with the California Secretary of State prior to its project being recommended for approval at a CEC Business Meeting. If not currently registered with the California Secretary of State, Applicants and project team members (e.g. subrecipients and even match fund partners) are encouraged to contact the Secretary of State’s Office as soon as possible to avoid potential delays in beginning the proposed project(s) (should the application be proposed for funding).

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

## Project Requirements

Charge Yard is intended to provide a space for interoperability testing, standards conformance testing and verification, industry collaboration, and exploration of next-generation charging use cases. Projects proposed under this solicitation shall meet all the below project requirements.

1. **Physical Space.**

* Must be in California, and may consist of multiple locations.
* Must be sized to accommodate at minimum twelve large electric vehicle supply equipment (EVSE) units and four vehicles operating concurrently.
  + The facility may include both indoor and outdoor testing spaces.
  + The indoor testing space shall be large enough to accommodate at minimum six large EVSE units and one large vehicle (facility is at least able to accommodate a 25” (W) x 20” (D) x 100” (H) EVSE dispenser).
  + The indoor testing space shall include an entrance large enough to accommodate a large electric vehicle, such as a roll-up door (minimum entrance size 85”H x 90”W).
  + Any outdoor testing space shall include appropriate weather protection to enable testing during inclement weather.
  + Applications shall include diagrams drawn to scale showing the expected positioning of EVSE and vehicles at the facility.
* Must include spaces for multi-party testing and indoor meetings.
* Must include site power capacity to fully power and test at least a 150 kW charger. May optionally accommodate medium- and heavy-duty vehicles.
* Submit a Utility Interconnection plan:
  + Recipients must detail their planned approach for interconnecting the bidirectional charging infrastructure to the grid. This should include consideration of options such as Rule 21 interconnection, special arrangements with utilities, microgrid configurations, or other relevant pathways.
  + Demonstrate collaboration and support from the relevant utility(ies). Recipients must outline their plans for engaging with utilities and obtaining necessary approvals and permits.

**Note:** CEC staff recommends consolidating vehicle and EVSE testing on the ground floor. Facility designs with testing occurring on multiple floors must describe plans for moving vehicles and EVSE between floors (for example, sufficiently sized doors and openings, use of elevators, and so on).

1. **Interoperability** **Testing**

* On an annual basis, procure 12 or more EVSE units that will be semi-permanently installed on-site (minimum of 12 months), referred to as “resident” EVSE, to support charger-vehicle testing:
  + At least five units must be AC .
  + At least six units must be DC .
  + At least seven different EVSE manufacturers must be represented.
  + Across all EVSE, at least two V2G Root Certificate Authorities (Public Key Infrastructures) used to enable Plug and Charge must be represented.
  + All resident EVSE must be certified for OCPP 2.0.1 or later before being made available for testing at Charge Yard.
  + All resident EVSE must be certified for CharIN CCS Extended or demonstrate ISO 15118 conformance through a comparable conformance test before being made available for testing at Charge Yard.
  + Resident EVSE may be loaned by EVSE manufacturers.
  + The applicant must procure and commission on-site test tools, including but not limited to charger/vehicle emulators and grid emulators. Charge Yard must include test tools that, at minimum, support ISO 15118 testing for products using the J1772/CCS or J3400/NACS connector. The test bed must be capable of simultaneously testing multiple ports for multi-port EVSE. The facility may optionally offer ISO 15118 conformance and certification services using these tools.

1. **Operations and Governance**

The applicant shall:

* Provide on-site technical support (for example, test technicians and engineers).
* Support semi-public and private testing. Applicants shall describe confidentiality and security processes.
* Support testing between visiting vehicles and resident EVSE.
* Support testing between visiting vehicles and visiting EVSE. “Visiting” as referring to vehicles/EVSE units not permanently installed on-site. Develop an Annual Interoperability Test Plan and Schedule outlining:
  + The list of EVs and EVSEs to be tested in the following 12 months, including testing configuration (testing equipment, backend system(s), driver application, public key infrastructure (PKI), and any other relevant information), and associated schedule
  + The list and description of bidirectional tests planned in the following 12 months
  + Any additional testing activity planned in the following 12 months (e.g., wireless charging, load controllers, etc.)
* The applicant must provide detailed plans regarding cost recovery and long-term financial sustainability, including specifying expected fees for use, subscription fees, testing event fees, testing and certification services, and so on. The applicants must commit to five years of operation (project term) and provide detailed plans of how to reach 10 years of operation.
* The applicant shall setup an advisory committee consisting of at least two of each of the following entity types unless otherwise noted:
  + EV manufacturers
  + EVSE manufacturers
  + Charging station operators or charging network providers
  + Public key infrastructure providers
  + Utilities (only one utility entity required; additional utilities welcome)
* The advisory committee shall meet at minimum once per month to inform Charge Yard operations and to receive updates on Charge Yard activities.
* The applicant shall provide the following for CAM approval, that includes but is not limited to:
  + Composition of the advisory committee and any subgroup or task force, specifying roles and responsibilities in addressing specific aspects of the project, such as equipment selection, testing procedures, and so on.
  + Minutes of the advisory board meetings and copies of any presentation materials.
  + Stakeholder engagement plan to ensure participation of relevant industry parties.

1. **Availability of Standardized Conformance Testing Protocols**

To date, the industry has not prioritized the development of conformance test protocols for ISO 15118 and Open Charge Point Interface (OCPI) despite their need to scale interoperability. The Charge Yard recipient shall work with relevant industry bodies and entities to achieve the availability of the following:

* A standard set of test cases for ISO 15118-2 that validate a product’s ISO 15118-2 implementation. Test cases shall include those validating Plug and Charge, and scheduled charging.
* A standard set of test cases for ISO 15118-20 that validate a product’s ISO 15118-20 implementation. Test cases shall include those validating Plug and Charge, scheduled charging, and bidirectional charging.
* A standard set of test cases for OCPI 2.2.1 or subsequent versions. Test cases shall include those validating bilateral and hub-based roaming agreements.
* A standardized method, tool, certification, and/or program with which to run the above test cases. This deliverable could be a standardized test program offered at third-party test labs, an open-source specification for a test tool used for first-party testing, or other similar programs or tools.
* The above development of test cases and methods does not need to be started from scratch. The Charge Yard project may use project budget contributions, labor hour contributions, and so on, to support existing industry efforts in developing such test cases and methods through.
* Test cases and methods must be circulated and reviewed by Charge Yard’s advisory committee.

The CEC reserves the right to make changes to the above test cases as necessary to address evolving industry standards and stakeholder feedback.

1. **Bidirectional Charging and Advanced Use Cases**

* The applicant shall enable and support testing of end-to-end bidirectional charging. This must include the ability to deploy and operate a complete bidirectional charging setup for grid-interactive and islanded operation.
* The test facility shall support, at minimum, the following: interoperability testing of ISO 15118-20 communication for bidirectional charging between a vehicle and charger, testing of bidirectional charging related communication between a charging station management system and a charger using Open Charge Point Protocol 2.1 (or later), end-to-end testing of a bidirectional charging setup involving a charging station management system, a charger, and a vehicle that demonstrates bidirectional charging in response to grid signals (such as electricity prices, demand response, and local or site level distribution system control signals).
* The applicant shall host at least one vehicle-to-everything (V2X) testing event annually at Charge Yard. The applicant shall describe how Charge Yard bidirectional charging programming will convene industry, mature the development of bidirectional standards, and support utility buy-in.
* The applicant shall enable and support testing of automated load management (ALM) solutions using multiple EVSE and EV combinations.
* The test facility may support testing with other distributed energy resources, energy management systems, or similar complementary technologies.
* The applicant may optionally propose and support other relevant charging use cases (e.g., wireless charging, vehicle-to-vehicle charging, etc.).

1. **Data Collection, Reporting, Dashboard**

* Collect data on all testing with on-site test tools and resident EVSE. Use this data to identify and track common implementation errors, misunderstandings, and other non-conformities. Publish anonymized and aggregated data in a

publicly available and Internet-accessible report twice a year. Mandatory data collection shall include protocol version used, transport layer security version used (if any), failure cause or message for failed charging sessions, charge success and failure rate by test case (for tests involving standardized test cases), and whether the device underwent formal communication protocol conformance testing (specify which ones if applicable); this list is not exhaustive and is subject to refinement prior to agreement execution.

* Collect data during industry collaboration events (see 5 above and 7 below), including all on-site interoperability testing events and V2X testing events. Use this data to identify and track common implementation errors, misunderstandings, and other non-conformities. Publish anonymized and aggregated in a publicly available and Internet-accessible report within four months of each industry collaboration event. Report anonymized and non-aggregated data to the CEC when requested.
  + Note: Anonymized data refers to data that has been processed to remove personal identifiers such as VINs, driver information, addresses, locational data, and personal contact details.
* Maintain a publicly available and Internet-accessible dashboard to track the number of vehicle and EVSE models tested in Charge Yard (do not specify brand/model) and the protocols and use cases tested.

Data collected by onsite test tools (such as emulators and sniffers) and EVSE shall be made available to the CEC upon request. This includes but is not limited to: communication traces logged by test tools between EVSE and EVs, error logs generated by EVSE, usage and session logs generated by EVSE, current/voltage/power traces logged by power equipment, etc.

1. **Industry Collaboration Events**

* During the project term, host at least three on-site interoperability testing events per year. The V2X testing event described in 5 above may count as one event. Recipient must present plans to meet this requirement in advance to CEC CAM for approval.
* During the project term, host or co-host at least two on-site events per year that do not include testing. These events may include workshops, conferences, or discussion sessions to further develop standards, advance bidirectional charging implementation, share reports and learnings, disseminate best practices, demonstrate technical findings, and discuss other priority topics.

1. **Performance Criteria**

* On an annual basis, the applicant shall perform and report findings of interoperability testing on the top 10 light-duty EVs sold in the State of California, with each EV being tested with a minimum of 10 different EVSE

units, resulting in a minimum of 100 interoperability reports. This report must conform to a format approved by the CEC and must include, but is not limited to:

* The list of all EVs tested in the previous 12 months as well as the EVSE units they have been tested with, and the related test configuration(s).
* Interoperability test results for each EV – EVSE combination tested.
* Bidirectional charging test results, if applicable.
* For each EV,
* Identification: the vehicle make, model year, VIN, a picture of the vehicle.
* Specifications: battery capacity, onboard charger specifications, firmware version, charging plug (e.g. J3400, CCS), charging protocols and version supported (e.g. ISO 15118-20), support for bidirectional charging.
* Funding: if the vehicle was procured by the Recipient (purchased, rented, loaned by OEM or other testing party) or brought in by a testing party for the ```duration of tests.
* For each EVSE unit,
* Identification: the charger make and model, serial number, a picture of the charger.
* Specifications: type (e.g., AC or DCFC), nameplate capacity (kW), bidirectional capability, number of ports, UL listing and NRTL, Energy Star listing, CTEP listing or alternatively metering accuracy, networking interfaces supported, communications protocol and versions supported (e.g., ISO 15118-20, OCCP 2.0.1)
* Funding: if the charger was procured by the Recipient (purchased, rented, loaned by manufacturer or other testing party) or brought in by a testing party for the duration of the tests.
* For each EV – EVSE combination:
* Date of testing
* Testing configuration (e.g., which protocols and versions, including OCPP backend, PKI configuration, etc.).
* Interoperability testing protocol (e.g., which test suite was used, e.g., SAE J2953/3 or any conformance testing standard developed and/or followed by the recipient under this Agreement).
* Test result (Pass/Fail) and if applicable, number and severity of failures.
* The Applicant shall provide an annual report informed by Charge Yard testing data on the state of interoperability, evaluate progress, and develop recommendations for improvement.
* Applicant shall provide an annual report informed by Charge Yard activities on the state of bidirectional charging, evaluate barriers and progress, and develop recommendations for improvement.

**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 California Public Utilities Commission (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, including chargers installed under agreements resulting from this solicitation, will need to comply with the new regulations. Applicants to this solicitation must be prepared to comply with any new or updated regulations, even if the regulations are not in existence at the time of application to this solicitation.

**Agreements funding electric vehicle charging infrastructure and equipment:** AB 841 (Ting, Chapter 372, Statutes of 2020) added Public Utilities Code (PUC) section 740.20, which requires Electric Vehicle Infrastructure Training Program (EVITP) certification to install 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:

(1) Electric vehicle charging infrastructure installed by employees of an electrical corporation or local publicly owned electric utility.

(2) Electric vehicle charging infrastructure funded by money 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).

(3) 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 commercial1 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.

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. To place a device into service, the RSA must perform accuracy testing. Device owners are responsible for registering their device with the county.

## C. ELIGIBLE PROJECT COSTS

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

* + Facility planning, design, and engineering
  + Facility installations and modifications
  + Facility equipment, such as resident EVSE
  + Facility materials and supplies
  + Facility lease expenses during the term of the agreement
  + Staff, staff training, and labor expenses
  + Testing hardware, including but not limited to:
    - Power cyclers and grid emulators
    - EV/EVSE emulators
    - Communication sniffers
    - Scopes/power analyzers
    - Utility-related communication hardware
    - Bidirectional charging-related hardware
  + Testing software, including but not limited to:
    - Test execution and instrument control software
    - Conformance testing software
    - Cybersecurity testing software
    - Data analytics software
    - Lab operations software

**Special Terms for Staged Reimbursement of CEC Funds**

Any agreement awarded under this solicitation is subject to special terms and conditions outlining stages of CEC reimbursement based on milestones achieved. Projects seeking reimbursement in excess of the percent allocation for each stage outlined in the special terms and conditions without having first demonstrated attainment of the associated milestone may be subject to a stop work order or agreement cancellation. The reimbursement stages and milestones are summarized below and are subject to retention requirements and modification prior to final agreement execution with the recipient.

| **Stage** | **Prerequisite Milestone** | **Percent CEC Award Available Upon Attaining Specified Milestone** |
| --- | --- | --- |
| 1 | Agreement execution at CEC Business Meeting | 35 percent |
| 2 | Completion of site acquisition | 45 percent |
| 3 | Completion of necessary building and electrical upgrades\* | 55 percent |
| 4a^ | Completion of 2 industry events at Charge Yard and delivery of data reports for each event | +10 percent |
| 4b^ | Delivery of standardized conformance test cases and tools (ISO 15118 and OCPI) | +10 percent |
| 4c^ | 5% per year for each successful year of operation | +25 percent |

\* Projects failing to begin Charge Yard operations by June 2026 may be subject to a stop work order or agreement cancellation.

\*Note that CEC awards are subject to retention of 10% of the total amount until the final milestone is deemed complete.

^ Stages 4a-c may be completed in any order. The percentages shown on the right for stages 4a-c specifically represent the *marginal* CEC award amount made available upon completing that stage’s milestone. For example, completion of stages 1-3 and 4b would allow the recipient to reimburse for up to 55 + 10 = 65 percent of the CEC award. Completion of stages 1-3, 4b, and 4c would allow the recipient to reimburse for up to 55 + 10 + 25 = 90 percent of the CEC award.

## D. Match Funding Requirements

1. **Total Match Share Requirement**

Applications must include a minimum 33 percent total match share for this solicitation.

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

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

Applications must include a minimum 33 percent ***cash*** match share.

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

1. **In-Kind Match Share**

The balance of the total match share requirement 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.

## E. 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 and cannot be claimed as a reimbursable expense or match. 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 new process. Please email[ECAMS.SalesforceSupport@energy.ca.gov](mailto:ECAMS.SalesforceSupport@energy.ca.gov) for support.

ECAMS allows Applicants to complete and submit their application to the CEC prior to the date and time specified in this solicitation. Files uploaded to the system must be in Microsoft Word (.doc format) and Excel Office Suite formats unless originally provided in the solicitation in another format. PDF format is acceptable. The completed Proposal Budget Template, Attachment 4, must be in Excel format.

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

The CEC strongly encourages Applicants to upload and submit all applications by 5:00 p.m. because CEC staff will not be available after 5:00 p.m. or on weekends to assist with the upload process. And please note that while we endeavor to assist all would-be Applicants, we cannot guarantee staff will be available for 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 the Project Narrative is limited to 12 pages. Site and facility diagrams do **not** count toward this page limit. The scope of work, schedule of products and due dates, budget forms, resumes, contact list, letters of support/commitment, CEQA worksheet, localized health impacts information form, past performance reference form(s), and the applicant declaration do not count toward this page limit.

## Application Content

All items listed below are required as part of the application package. Failure to provide any items may result in disqualification of the application. Attachment requirements are expanded and explained below in this section and in the attachments themselves. The items that have “N/A” in the “Attachment Number” column are required to be submitted as part of the application package, but do not have an associated attachment provided in this solicitation package.

| **Item** | **Attachment Number (if applicable)** |
| --- | --- |
| Project Narrative | Attachment 01 |
| Scope of Work | Attachment 02 |
| Scope of Work Instructions | Attachment 03 |
| Schedule of Products and Due Dates | Attachment 04 |
| Budget Forms | Attachment 05 |
| Resumes | Attachment 06 |
| Contact List | Attachment 07 |
| Letters of Commitment | Attachment 08 |
| Letters of Support (optional) | Attachment 09 |
| CEQA Worksheet | Attachment 10 |
| Localized Health Impacts Information Form | Attachment 11 |
| Past Performance Reference Form(s) | Attachment 12 |
| Applicant Declaration | Attachment 13 |

1. **Applicant Certifications**

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

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

* I am authorized to submit this application on behalf of the Applicant.
* I authorize the CEC to make any inquiries necessary to verify the information presented in this application.
* I authorize the CEC to obtain business credit reports and make any inquiries necessary to verify and evaluate the financial condition of the Applicant.
* I have read and understand the terms and conditions contained in this solicitation. I accept the terms and conditions contained in this solicitation on behalf of the Applicant and the Applicant is willing to enter into an agreement with the CEC to conduct the proposed project according to the terms and conditions without negotiation.
* I certify that (1) this application does not contain any confidential or proprietary information, or (2) if confidential information is allowed under the solicitation it has been properly identified.
* I certify under penalty of perjury under the laws of the State of California that, to the best of my knowledge, the information contained in this application is correct and complete.
* I am authorized to agree to the above certifications on behalf of the Applicant.
  1. **Project Narrative**  
     The applicant shall submit a project narrative describing the proposed project and how it meets all project requirements. For each of the project requirement categories listed in Section II-B, the project narrative shall include a corresponding section explaining how the project will meet those requirements through tasks described in the Scope of Work. The project narrative will be evaluated against the scoring criteria described under Section IV.E.

Specifically, the Project Narrative should include a description of:

1. Physical Space (See Section II.B-1 for detailed requirements.)
2. Interoperability Testing (See Section II.B-2 for detailed requirements.)
3. Operations & Governance (See Section II.B-3 for detailed requirements.)
4. Standardized Testing Protocols (See Section II.B-4 for detailed requirements.)
5. Bidirectional Charging (See Section II.B-5 for detailed requirements.)
6. Data Collection, Reporting, Dashboard (See Section II.B-6 for detailed requirements.)
7. Industry Collaboration Events (See Section II.B-7 for detailed requirements.)
8. Project Budget

Explain how the proposal budget is justifiable and reasonable relative to the project goals, objectives, and tasks defined in the Scope of Work. Include how the project will minimize reimbursable administrative and overhead costs.

1. Overall Cost Effectiveness

Calculate the Cost Effectiveness Score (based on total funds requested from the CEC, excluding any match share) using the following formula:

Score % = -100 / (1 + exp(-.000001\*(TC-5000000))) + 100

1. Financial Sustainability

Provide details on how the project will sustain operations beyond the 5-year performance period without additional funding from the CEC.

1. Match Share

Describe match funding sources and commitments.

1. Team Experience and Qualifications

Describe the project team’s qualifications, experience, and capabilities. Explain the team’s ability to not only meet all of Charge Yard’s project requirements and successfully launch the facility, but also to manage its long-term operation.

1. **Scope of Work**

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**

Applicants must include a completed Schedule of Products and Due Dates. All work must be scheduled for completion by no later than **2031**, to allow timely processing of final invoices before the liquidation date of CEC funds. Instructions for the Schedule of Products and Due Dates are included in Attachment 3. The Schedule of Products and Due Dates must be in MS Excel.

1. **Budget Forms**

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

1. **Option 1: Prime Applicant’s budget is both keyed directly into ECAMS and uploaded as an MS Excel attachment; Major Subrecipient(s) budgets are uploaded as MS Excel attachments.** ECAMS allows Applicants to build the Prime Applicant’s budget directly into the system. At this time, there is no way to input major subrecipient budgets directly into the system. Instructions for inputting budget items into ECAMS are included at <https://www.energy.ca.gov/media/7956>.
2. **Option 2: Upload all budgets (Prime and Major Subrecipients) as MS Excel attachments** and leave the ECAMS budget sections blank in ECAMS. The Applicant must submit information on ***all*** tabs of the budget forms. The salaries, rates, and other costs entered must reflect the salaries, rates, and other costs the Applicant would include if selected as a grant recipient. A separate set of complete budget forms is required for the Applicant and for each subaward containing $100,000 or more of CEC funds.
   * 1. Detailed instructions for completing these forms are included at the beginning of Attachment 4.
        1. Rates and job descriptions shown must reflect rates and job descriptions charged under an agreement resulting from this solicitation. The salaries, rates, and other costs entered on these forms become a part of the final agreement. The entire term of the agreement and projected rate increases must be considered when preparing the budget. Unless a federally approved indirect rate is used, indirect rates proposed are considered capped and shall not change during the term of the agreement. The grant recipient shall only be reimbursed for their actual rates up to the indirect rate cap. A description of available indirect rate options is available on the [ECAMS Resources webpage](https://www.energy.ca.gov/funding-opportunities/funding-resources/ecams-resources) under [Budget Category Guidance](https://www.energy.ca.gov/funding-opportunities/funding-resources/ecams-resources/budget-category-guidance?auHash=cEItgat6JNbO9BFGeVqe4E5T6koCOgTaqliFX6bmwtg) for indirect rates. Unlike indirect rates, the rates for Direct Labor and Fringe Benefits are treated as estimates; a grant recipient can invoice at higher rates as long as it is only invoicing for actual expenditures it has made. The hourly or monthly rates provided shall be unloaded (before fringe benefits or indirect costs).
        2. The information provided in these forms will not be kept confidential.
        3. All reimbursable expenditures must be expended within the approved term of the grant agreement. Expenditures may be counted as match share only after CEC notifies the Applicant that its project has been proposed for an award through the release of a Notice of Proposed Awards (NOPA). However, match expenditures incurred after release of the NOPA but prior to the execution of a grant agreement are made solely at the Applicant’s own risk.
        4. Applicants must budget for the expenses of a Kick-off Meeting, at least one (1) Critical Project Review meeting, and a Final meeting. Meetings may be conducted at the CEC or remotely, as determined by the CAM.
        5. Applicants must budget for permits, insurance, etc. CEC will not reimburse expenditures for permitting or insurance. However, these expenditures can be included as match share expenditure.
        6. Applicants must budget for the preparation and submission of quarterly progress reports during the term of the agreement, and a Final Report. Instructions for preparing the Final Report will be provided to Applicants that are proposed for funding.
        7. The purchase of equipment (defined as items with a unit cost greater than $5,000 and a useful life of greater than one year) with CEC funds will require disposition of purchased equipment at the end of the project. Typically, grant recipients may continue to utilize equipment purchased with CEC funds as long as the use is consistent with the intent of the original agreement. There are no disposition requirements for equipment purchased with match share funding.
     2. The Budget must reflect estimates for actual costs to be incurred during the approved term of the agreement. CEC can only approve and reimburse for actual costs that are properly documented in accordance with the grant agreement terms and conditions.
     3. Applicants shall NOT budget for, and CANNOT be reimbursed for, more than their actual allowable expenses (i.e., the budget cannot include profit, fees, or markups) under the agreement. Subrecipients (all tiers) are allowed to include up to a maximum total of 10% profit, fees or mark-ups on their own actual allowable expenses less any expenses budgeted to sub-subrecipients (i.e., profit, fees and markups are not allowed on lower tier subrecipient expenses). For example, if a subrecipient has $100,000 in actual allowable costs but has budgeted $20,000 to a sub-subrecipient, then the subrecipient can only include up to 10% profit on $80,000 ($100,000 minus $20,000). See terms and conditions for additional restrictions and requirements.

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

1. **Resumes**

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

1. **Contact List**

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 (required)**

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.

* 1. **Key Project Partners:** Key project partners identified in the application must provide letters demonstrating their commitment or support to the proposed project and their ability to fulfill their identified roles.
  2. **Match Share Contributors Letters of Commitment:** Any match share contributors (including the Applicant and/or a third-party) must identify the intended amount of match that will be committed to the project, the funding source(s), and state that the match share contributor will provide the identified match funding. Letters of commitment from match share contributors must contain a telephone number and email address to allow CEC to contact the match share partner or representative to confirm their authority to commit matching funds to the proposed project.

1. **Letters of Support (optional)**

Applicants are encouraged to submit letter(s) of support that substantiate the estimated demand and/or the potential benefits of the proposed project. Third-party letters of support can be provided by, but are not limited to: air districts, state or federal agencies, local safety officials, potential users of the proposed project, and any other relevant organizations.

1. **CEQA Worksheet**

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

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

Applicants are encouraged to provide documentation of communication with the local lead agency, if one exists (e.g., a county or city). Documentation such as a completed notice of exemption, a letter from the local agency acknowledging its role in the CEQA process, or a permit application to the lead agency that is stamped as received. If no CEQA review would be required by the local lead agency, provide documentation (e.g. a letter or e-mail) from the local agency explaining why CEQA review is not required.

1. **Additional Requirements**

* Time is of the essence. Funds available under this solicitation have encumbrance deadlines as early as June 30, 2027. This means that the CEC must approve proposed awards at a business meeting (usually held monthly) prior to June 30, 2027, in order to avoid expiration of the funds. Prior to approval and encumbrance, the CEC must comply with the California Environmental Quality Act (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 referenced above, and that the CEC’s ability to meet its encumbrance deadline may thereby be jeopardized, the CEC may cancel a proposed award and award funds to the next highest scoring Applicant, regardless of the originally proposed Applicant’s diligence in submitting information and materials for 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**

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)**

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**

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

# IV. Evaluation Process and Criteria

## Application Evaluation

Applications will be evaluated and scored based on the responses to the information requested in this solicitation and on any other information available such as past performance of CEC agreements.[[1]](#footnote-2) The entire evaluation process from receipt of applications to posting of the Notice of Proposed Award is confidential.

To evaluate all applications, CEC will organize an Evaluation Committee. The Evaluation Committee may consist of CEC staff or staff of other California state entities.

* 1. **Screening Criteria**

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

* 1. **Administrative Screening Criteria**

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

* 1. **Technical Screening Criteria**

| **Technical Screening Criteria** | **Pass/Fail** |
| --- | --- |
| 1. The Applicant is an eligible Applicant. | Pass Fail |
| 1. The project meets all project requirements and is an eligible project. | Pass Fail |
| 1. The project meets the minimum match share requirement. | 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. An Applicant is defined as at least one of the following: the business, principal investigator, or lead individual acting on behalf of themselves—received funds from the CEC (e.g., contract, grant, or loan) and entered into an agreement(s) with the CEC. Any Applicant that does not have an active or prior agreement equates to no severe performance issues and therefore would pass this screening criteria.

Severe performance issuesare characterized by significant negative outcomes under an agreement and may include:

* + Agreement was terminated with cause.
  + CEC filed litigation against the Applicant.
  + Severe audit findings are not resolved to CEC’s satisfaction. Severe audit findings may include but are not limited to: incomplete or unsatisfactory deliverables; grant funds used inappropriately (i.e., other than as represented); or questioned costs.
  + Project objectives were not met.
  + 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.
   1. **Technical Evaluation**

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

The Evaluation Committee reserves the right to schedule a clarification interview with an Applicant to clarify and/or verify information submitted in the application. However, these interviews may not be used to change or add to the contents of the original application. Applicants will not be reimbursed for time spent answering clarifying questions.

The total score for each application will be the average of the combined scores of all Evaluation Committee members. A minimum score of 70 percent is required for the application to be eligible for funding.

CEC will recommend awards to the highest ranked projects (according to final overall application score) until available funding under this solicitation has been exhausted.

## Notice of Proposed Awards

The results of the evaluation will be posted in a Notice of Proposed Awards (NOPA) and will include (1) the total proposed funding amount; (2) the rank order of Applicants; and (3) the amount of each proposed award. CEC will publish the NOPA on the CEC’s website. The CEC anticipates proposing one award for funding under this solicitation.

## Debriefings

Applicants that are not proposed for funding may request a debriefing after the release of the NOPA by e-mailing the CAO listed in Part I. A request for debriefing should be received no later than 15 calendar days after the NOPA is released.

## Scoring Scale

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

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

## Evaluation Criteria

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| --- | --- |
| **Criterion** | **Possible Points** |
| 1. **Physical Space**   Applications will be evaluated on the degree to which the project site proposal:   * Will be located in California. * Is sized to accommodate testing for at minimum twelve large EVSE units and four vehicles. * Will include spaces for multi-party testing and indoor meetings. * Is capable of fully powering and testing a 150 kW charger, at minimum, with higher scores for facilities with higher power capacity. * Includes plans for interconnecting the bidirectional charging infrastructure to the grid. * (Optional) Describes plans to accommodate medium- and heavy-duty vehicles, with bonus points awarded for projects with this accommodation.   See Section II.B-1 for detailed requirements. | 25 |
| 1. **Interoperability Testing**   Applications will be evaluated on the degree to which the applicant:   * Procures 12 or more “resident” EVSE units to support charge-vehicle testing, of which:   + At least 5 units are AC EVSE.   + At least 6 units are DC EVSE.   + At least 7 different manufacturers are represented.   + Across all EVSE units, at least 2 V2G Root Certificate Authorities (Public Key Infrastructures) used to enable Plug and Charge are represented. * Across all resident EVSE units:   + Certifies all EVSE units for OCPP 2.0.1 or later before being made available for testing at Charge Yard.   + Demonstrates CharIN CCS Extended or ISO 15118 conformance through a comparable test program before being made available for testing at Charge yard. * Procures and commissions on-site test tools, including but not limited to charger/vehicle emulators and grid emulators.   + Charge Yard must include test tools that, at minimum, support ISO 15118 testing for products using the J1772/CCS or J3400/NACS connector.   + Test tools must be capable of simultaneously testing multiple ports for multi-port EVSE.   + The facility may optionally offer ISO 15118 conformance and certification services using these tools.   See Section II.B-2 for detailed requirements. | 25 |
| 1. **Operations & Governance**   Applications will be evaluated on the degree to which the applicant:   * Provides on-site technical support (for example, test technicians and test engineers). * Supports semi-public and private testing, including confidentiality and security processes. * Supports testing between visiting vehicles and resident EVSE. * Describes plans to assemble an advisory committee consisting of at least two of each of the following entity types unless otherwise noted:   + EV manufacturers   + Charge station operators or charging network providers   + Public key infrastructure providers   + Utilities (only 1 entity required) * Describes plans to implement:   + A standard set of test cases for ISO 15118-2 that validate a product’s ISO 15118-2 implementation.   + A standard set of test cases for ISO 15118-20 that validate a product’s ISO 15118-20 implementation.     - The above test cases shall include those validating Plug and Charge, scheduled charging, and bidirectional charging.   + A standardized method, tool, certification, and/or program with which to run the above test cases. * During the project term, describes plans to:   + Host at least 3 on-site interoperability testing events per year.   + Host at least 2 on-site events per year that do not include testing.   See Section II.B-3 for detailed requirements. | 20 |
| 1. **Standardized Testing Protocols**   Applications will be evaluated on the degree to which the applicant demonstrates detailed plans for:   * Achieving the availability of a standard set of test cases for ISO 15118-2. * Achieving the availability of a standard set of test cases for ISO 15118-20. * Achieving the availability of a standard set of test cases for OCPI 2.2.1 or subsequent versions. * Achieving a standardized method, tool, certification, and/or program for running the aforementioned test cases.   Each of the above plans should:   * Specify collaboration with relevant industry bodies and entities. * Outline how the applicant will contribute to and leverage existing industry efforts. * Detail the scope and coverage of the intended test cases, including Plug and Charge and scheduled charging.   See Section II.B-4 for detailed requirements. | 10 |
| 1. **Bidirectional Charging**   Applications will be evaluated on the degree to which the applicant:   * Provides the capability for automakers and charging providers to test end-to-end bidirectional charging. This must include the ability to install and test a complete bidirectional charging setup for both grid interactive and islanded operation. * Support testing with other distributed energy resources, energy management systems, or similar complementary technologies. * Describes how Charge Yard bidirectional charging programming will convene industry, mature the development of bidirectional standards, and support utility buy-in.   See Section II.B-5 for detailed requirements. | 20 |
| 1. **Data Collection, Reporting, Dashboard**   Applications will be evaluated on the degree to which the applicant submits detailed plans to:   * Collect comprehensive data on all testing with on-site test tools and resident EVSE. * Identify and track common implementation errors, misunderstandings, and other non-conformities. * Identify and track common implementation errors, misunderstandings, and other non-conformities from industry collaboration events. * Collect data during industry collaboration events (including all on-site interoperability testing events and V2X testing events).     See Section II.B-6 for detailed requirements. | 20 |
| 1. **Industry Collaboration Events**   Applications will be evaluated on the degree to which the applicant submits detailed plans to:   * Host at least three on-site interoperability testing events per year. The annual V2X testing event counts towards the required number of testing events. * Host or co-host at least two on-site events per year that do not include testing.   See Section II.B-7 for detailed requirements. | 15 |
| 1. **Project Budget**   Applications will be evaluated on the degree to which:   * The proposed project budget is justifiable and reasonable relative to the project goals, objectives, and tasks defined in the scope of work. * The proposed project minimizes administrative and overhead costs for reimbursement. * The proposed match funding commitments are documented, verifiable, and necessary to support the successful completion of the project. | 10 |
| 1. **Overall Cost Effectiveness**   Applications will be evaluated on the overall cost effectiveness of the project using the below formula, where Score % is the percentage score for this criterion and TC is the total project cost (sum of match and CEC shares).  Score % = -100 / (1 + exp(-.000001\*(TC-5000000))) + 100 | 10 |

|  |  |
| --- | --- |
| 1. **Financial Sustainability**   Applications will be evaluated on plans to ensure cost recovery and financial sustainability, including any fees for use, subscription fees, testing event fees, testing and certification services, and etc. Applicants must commit to 5 years of operation and provide detailed plans of how to reach 10 years of operation without additional funding from the CEC. | 15 |
| 1. **Match Share**   Applications will be evaluated on the degree to which:   * The proposed project budget includes at least 33 percent total match share. | 10 |
| 1. **Team Experience & Qualifications**   Applications will be evaluated on the degree to which:   * The qualifications, experience, and capabilities of the project team provide confidence in the team’s ability to successfully meet all Charge Yard project requirements (see Section B). * The qualifications, experience, and capabilities of the project team provide confidence in the team’s ability to successfully launch and operate Charge Yard, including past the project term. * The applicant has a demonstrated history of successfully completing infrastructure projects including the ability to establish site control, obtain equipment and materials, and deploy resources to expedite project completion. * The applicant demonstrates that it has the confidence of the electric vehicle and charging industries, and a history of successfully convening these industries. * If applicable, the applicant describes past performance on prior CEC awards, including timeliness, project execution, communication, and project success. | 20 |
| **Total Possible Points** | 200 |
| **Minimum Passing Score (70%)** | 140 |

## Tie Breakers

If the score for two or more applications are tied, the application with a higher score for **Criterion 2** will be ranked higher. If still tied, an objective tiebreaker (such as a random drawing) will be utilized.

# V. Administration

## Definition of Key Words

Important definitions for this solicitation are presented below:

|  |  |
| --- | --- |
| **Word/Term** | **Definition** |
| Applicant | Respondent to this solicitation |
| Application | Formal written response to this document from applicant |
| California Native American Tribe | A Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004. |
| California Tribal Organization serving a California Native American Tribe | A corporation, association, or group controlled, sanctioned, or chartered by a California Native American Tribe that is subject to its laws, the laws of the State of California, or the laws of the United States. |
| CAM | Commission Agreement Manager |
| CAO | Commission Agreement Officer |
| CEC | California Energy Commission |
| GAAP | Generally Accepted Accounting Principles |
| Solicitation | Grant Funding Opportunity, which refers to this entire solicitation document and all its attachments and exhibits |
| State | State of California |

## Cost of Developing Application

The Applicant is responsible for the cost of developing an application, and this cost cannot be charged to the State.

## Confidential Information

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

## Solicitation Cancellation and Amendments

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

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

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

## Errors

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

## Modifying or Recalling an Application

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

## Immaterial Defect

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

## Opportunity to Cure Administrative Errors

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

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

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

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

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

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

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

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

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

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

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

## Disposition of Applicant’s Documents

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

## Applicants’ Admonishment

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

## Agreement Requirements

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

CEC reserves the right to negotiate with Applicants to modify the project scope, the level of funding, or both. If CEC is unable to successfully negotiate and execute a funding agreement with an Applicant, CEC, at its sole discretion, reserves the right to cancel the pending award and fund the next highest ranked eligible project.

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

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

CEC will send the approved agreement, including the standard terms and conditions and any additional terms and conditions, to the grant recipient for review, approval, and signature. Once the grant recipient signs, CEC will fully execute the agreement. Recipients are approved to begin the project only after full execution of the agreement.

## No Agreement Until Signed and Approved

No agreement between CEC and an Applicant is in effect until the agreement is approved at a CEC Business Meeting, and signed by both the grant recipient and the CEC.

CEC reserves the right to modify the award documents prior to executing the agreement.

## Executive Order N-6-22 – Russia Sanctions

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and  
individuals. “Economic Sanctions” refers to sanctions imposed by the U.S.  
government in response to Russia’s actions in Ukraine, as well as any sanctions  
imposed under state law. By submitting a bid or proposal, Applicant represents  
that it is not a target of Economic Sanctions. Should the State determine  
Applicant is a target of Economic Sanctions or is conducting prohibited  
transactions with sanctioned individuals or entities, that shall be grounds for  
rejection of the Applicant’s bid/proposal any time prior to agreement execution, or, if determined after agreement execution, shall be grounds for termination by the State.

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