



North Carolina

# National Electric Vehicle Infrastructure (NEVI) Program

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Request For Proposal

*April 8, 2024*



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## DEFINITION LIST

For further guidance on any technical definitions, Applicants should [reference 23 Code of Federal Regulations \(CFR\) 680](#).

**ADA Accessible Electric Vehicle Charging Stations:** The American with Disabilities Act of 1990 (ADA), and implementing regulations, apply to electric vehicle (EV) charging stations. EV charging stations must comply with applicable accessibility standards adopted by the US Department of Transportation into its ADA regulations (49 CFR part 37). The US Access Board published “Design Recommendations for Accessible Electric Vehicle Charging Stations” in 2022. Until any formal rules are proposed and finalized, the North Carolina Department of Transportation (NCDOT) is requiring that at least one pedestal be designed and constructed according to US Access Board Recommendations to demonstrate ADA compliance and optimize usability for persons with disabilities. See recommendations at <https://www.access-board.gov/ta/tad/ev/#other-considerations>

**Alternative Fuel Corridors:** A portion of the US Highway System designated as an EV charging corridor by the Federal Highway Administration (FHWA) pursuant to 23 United States Code (U.S.C.) 151. See: [Alternative Fuel Corridors – FHWA](#)

**Applicant Cost Share:** A non-federal funding source that the Applicant must commit to the project as its share of the overall eligible project costs. For the National Electric Vehicle Infrastructure (NEVI) Formula Program, the Applicant cost share is at least 20 percent, but Applicants can propose a higher cost share in their Cost Proposal.

**Charging Station:** The area in the immediate vicinity of a group of chargers, including the chargers, supporting equipment, parking areas adjacent to the chargers, and lanes for vehicle ingress and egress. A charging station could comprise only part of the property on which it is located.

**Clusters:** NCDOT term referring to the range of exits/crossroads along the alternative fuel corridor where an Applicant can propose to construct a NEVI-compliant charging station site. NCDOT will fund the construction of one charging station site within each cluster.

**Conditional Award:** A conditional award is an agreement between two parties that an offer will be made if specific conditions are met. In this case, conditions may include National Environmental Policy Act (NEPA) clearance and any other condition needed to successfully execute an EV charging site.

**Disadvantaged Community:** Disadvantaged communities (DAC) are census tracts or communities with common conditions. The US Department of Transportation and the US Department of Energy consider appropriate data, indices, and screening tools to determine whether a specific community is disadvantaged based on a combination of variables that may include, but are not limited to, the following: low income, high and/or persistent poverty; high unemployment and underemployment; racial and ethnic residential segregation, particularly where the segregation stems from discrimination by government entities; linguistic isolation; high housing cost burden and substandard housing; distressed neighborhoods; high transportation cost burden and/or low transportation access; disproportionate environmental stressor burden and high cumulative impacts; limited water and sanitation access and affordability; disproportionate impacts from climate change; high energy cost burden and low energy access; jobs lost through the energy transition; and limited access to healthcare.

- See [NCDOT NEVI Round 1 Clusters](#) for a map containing a layer identifying these communities.
- See federal tools to identify DACs and key information at [Equity and Justice40 Analysis Tools | US Department of Transportation](#) and [USDOT Equitable Transportation Community \(ETC\) Explorer \(arcgis.com\)](#)

**Direct Current Fast Charging:** Direct current fast charging (DCFC) is a type of EV charging station that uses direct current and can charge a typical light-duty battery electric vehicle to 80 percent capacity in 20 minutes to an hour.

**Electric Vehicle Supply Equipment:** Electric vehicle supply equipment (EVSE) is a device that transfers and controls the power supply between site electricity infrastructure and an electric vehicle.

**Justice40:** Executive Order 14008 created the Justice40 (J40) Initiative, which established a goal that 40 percent of the overall benefits of certain federal investments flow to disadvantaged communities. See [Justice40 Initiative | US Department of Transportation](#) for more details.

**Rural Areas:** Rural is defined by the US Census Bureau as anything not classified as urban. See the US Census Bureau for more on this definition: [2020 Census Urban-Rural Classification Fact Sheet](#). North Carolina's urban areas were defined by the 2020 US Census and published by the North Carolina Office of State Budget and Management (OSBM) at the following link: [2020 Urban Areas — NC OSBM](#). For a shapefile to download and use with GIS, please see the US Census Bureau at [Urban and Rural \(census.gov\)](#)

**Project site:** Location where one or more charging stations are located. A project site may contain both a NEVI charging station and a non-NEVI charging station.

**Site Host:** The owner or owners of the site who can legally enter into agreement(s) with utility provider(s) and charging station operator(s) and/or EV charging site Awardee(s).

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# 1 OVERVIEW

## 1.1 Background

Congress passed the Infrastructure Investment and Jobs Act (IIJA), also referred to as the Bipartisan Infrastructure Law (BIL), on November 15, 2021, which included the [National Electric Vehicle Infrastructure \(NEVI\) Formula Program](#). The NEVI Formula Program provides dedicated funding to construct electric vehicle supply equipment (EVSE) across the state, establishing a charging station network.

North Carolina will receive approximately \$109 million in total over federal fiscal years (FFY) 2022–2026. At this time, federal funding is available for FFY22, FFY23, and FFY24, totaling \$62,580,572. The North Carolina Department of Transportation (NCDOT) is the designated administrator of the funds for the state. These funds require a minimum 20 percent non-federal match and are provided to the selected sites on a reimbursement basis.

## 1.2 Introduction

NCDOT is seeking Applicants for this Request for Proposal (RFP) to participate in the deployment of direct current fast charging (DCFC) infrastructure across the state that complies with NEVI Formula Program requirements. The RFP published under this competitive selection provides available funding for updates to existing EVSE and new charging sites.

Both existing and new stations must be sited along designated federal Alternative Fuel Corridors (AFC). NCDOT has identified specific segments of the AFCs as being optimal locations for EVSE that meet the program requirements. These are identified in Section 4.2 of this RFP. This RFP releases Round 1 of the funding for 11 of the 39 sites identified by NCDOT in its 2023 update to the [North Carolina Electric Vehicle Implementation Deployment Plan \(EVIDP\)](#).

NCDOT's goal is to fund EVSE deployment to strategically support the development of convenient, accessible, reliable, and equitable EVSE infrastructure along the designated clusters. The NEVI Formula Program also seeks to grow a local, diverse workforce for installing and repairing the charging infrastructure. All federally funded projects seek to meet the Justice-40 (J40) criteria.

Disadvantage Business Enterprise (DBE) requirements do not apply to NEVI Formula Program funds. The award of sites and the execution of agreements will not be subject to DBE goals. Further guidance is contained in the [NEVI Formula Program Guidance](#), and the [National Electric Vehicle Infrastructure Standards and Requirements, Final Rule, Code of Federal Regulations Section 23, Part 680 \(23 CFR 680\)](#). However, NCDOT encourages the involvement of federally designated disadvantaged communities in the project to help the state meet its J40 and workforce development goals.

This RFP focuses on design, construction, acquisition, installation, operations, maintenance, data reporting, and ownership of EVSE infrastructure at locations near the interstate system where there is a lack of EVSE sites. NCDOT is providing reimbursement funds to eligible Applicants as defined in section 3.1 of this RFP. NCDOT will not own or operate any of the EVSE. The EVSE infrastructure and project sites will not be located within state-owned right-of-way.



This RFP includes requirements for DCFC equipment, site selection, design, installation, operations and maintenance (O&M), and reporting. In addition, the RFP includes information on the process by which competitive selections will be awarded, funding match levels and requirements, project eligibility, funding priorities, activities eligible for reimbursement, and other information that will help Applicants plan their project and submit an application.

## 2 ATTACHMENTS AND REFERENCE DOCUMENTS

### 2.1 Attachments

The following attachments are incorporated into and made part of this RFP by reference. NCDOT reserves the right to amend these attachments prior to the close of the RFP. NCDOT will issue any necessary addendums at: [National Electric Vehicle Infrastructure \(NEVI\) Program](#) (see Section 5.2).

- Attachment 1 – Technical Requirements
- Attachment 2 – Scope of Work
- Attachment 3 – Technical Application Form
- Attachment 4 – Cost Proposal Form
- Attachment 5 – Draft Agreement
- Attachment 6 – FHWA Form 1273
- Attachment 7 – 2024 Davis Bacon and Related Acts Locally Prevailing Wage Rates

### 2.2 Reference Documents

**Applicants are urged strongly to conduct their due diligence as it relates to the NEVI Formula Program and the federal, state, and local laws that apply to this funding.** The following reference documents are available: [National Electric Vehicle Infrastructure Standards and Requirements](#), [Federal Highway Administration \(FHWA\) NEVI Program Guidance](#), [Bipartisan Infrastructure Law NEVI Program Fact Sheet](#), and the [FHWA NEVI Program Frequently Asked Questions](#). Applicants are also encouraged to review [NCDOT's NEVI Program website](#), [the Round 1 NEVI Charging Locations Geographic Information System \(GIS\) Map](#), and the [North Carolina Electric Vehicle Implementation Deployment Plan \(EVIDP\)](#) and its annual updates.

## 3 APPLICANT ELIGIBILITY

### 3.1 Eligible Applicants

All eligible Applicants must be licensed to do business in the state of North Carolina prior to application. Eligible Applicants for this funding opportunity include, but are not limited to:

- For-profit businesses,
- Privately owned electric utilities,
- Non-profit organizations,
- Governmental entities,
- Municipal utilities,

- Electric membership cooperative utilities,
- Teaming partnerships that include the above eligible entities.

A clear primary Applicant and point of contact are required.

### 3.2 Ineligible Applicants

Ineligible Applicants include:

- Entities or individuals who are currently suspended or debarred by the state of North Carolina or the federal government.

### 3.3 Application Limitations and Requirements

Each application can include only one charging site. Applicants may submit only one application per cluster. Applicants may submit applications for more than one cluster. Applications for locations outside of the identified 11 clusters will not be accepted.

## 4 ELIGIBLE PROJECTS

### 4.1 Project Requirements

The NEVI Formula Program aims to establish a DCFC infrastructure network consisting of sites with a minimum of four ports capable of continuous charging at 150 kW concurrently.

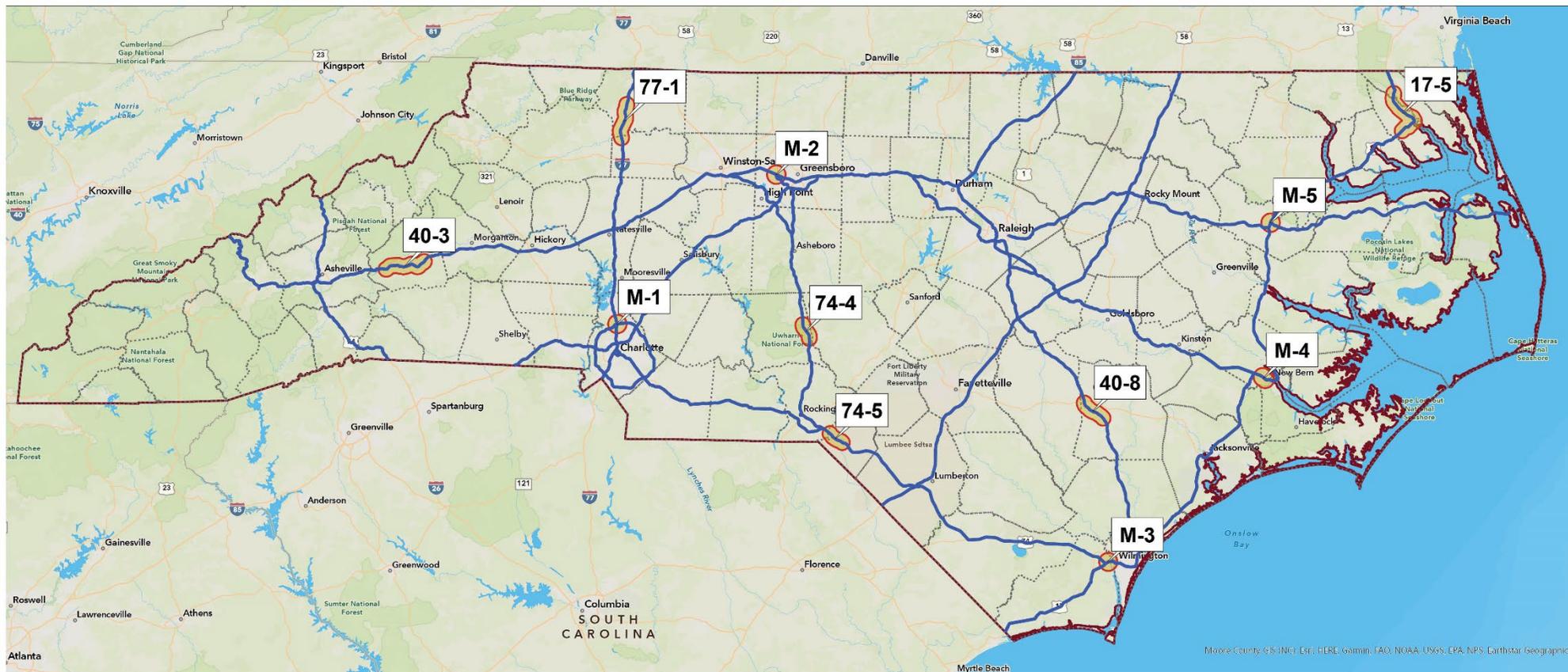
Funding for any project agreement resulting from this RFP will be paid entirely from the FHWA NEVI Formula Program funds. Therefore, all applicable requirements of Title 23 United States Code (U.S.C) and 2 Code of Federal Regulations (CFR) Part 200 apply to the administration of these funds. This includes, but is not limited to, [23 CFR 680](#), the [Davis-Bacon Act](#), the [Americans with Disabilities Act of 1990 \(ADA\)](#), [Title VI of the Civil Rights Act of 1964](#), the [National Environmental Policy Act of 1969 \(NEPA\)](#), and the [Build America, Buy America \(BABA\) Act](#). EVSE funded under any project agreement resulting from this RFP will be covered by the [Build America, Buy America \(BABA\) Implementation Plan to Enhance Buy America for Electric Vehicle \(EV\) Chargers](#). In addition to these requirements, the Awardee must comply with all other applicable federal, state, and local laws, standards, and requirements. All relevant terms within the RFP are assumed to be the definitions as defined in [23 CFR 680](#).

The Awardee will be required to provide at least a 20 percent contribution (Applicant Cost Share) in non-federal dollars to the overall eligible project costs, which will be authorized by a project agreement between the Awardee and NCDOT. NCDOT will not be contributing state funds.

### 4.2 Priority NEVI Location Clusters

For the Round 1 RFP, NCDOT has identified 11 clusters along ten corridors, each of which will be awarded one charging site with at least four charging ports, per the technical requirements in Attachment 1. NCDOT will release additional RFPs to fund the remaining 28 sites along other AFCs to build the state's charging station network at a later date. NCDOT has not determined the number of funding rounds at this time.

Figure 4-1 North Carolina NEVI Site Corridors and Identified Clusters



**Table 4-1 Priority Clusters**

AFC	CLUSTER NAME	COUNTY(S)	EXIT NUMBER	CROSS-STREET
I-40	40-3	McDowell	73	Catawba River Rd /Bat Cave Road / SR-1103
			75	Parker Padgett Rd / SR-1240 Greenlee Rd
			81	Sugar Hill Rd / SR-1001
			83	Ashworth Rd / SR-1168
			85	US-221 N
			86	NC 226 S
	40-8	Duplin & Sampson	364	College St / NC-24
			369	US-117
373			S Kenansville Bypass / NC-24/NC-903 /SR-1003	
I-74	74-4	Montgomery & Moore	44	NC 211
			49	E Main St / NC-24 / NC-27
US-74	74-5*	Scotland & Richmond	At-Grade	Corbitt Rd / Old Hundred Rd /SR-1145 (western boundary) Ida Mill Rd / Springs Mill Rd /SR-1125 (eastern boundary)
I-77	77-1	Surry & Yadkin	82	NC 67
			85	CC Camp Rd / NC-268 / SR-1138
			93	Zephyr Rd / SR-1001
US-17	17-5*	Camden & Pasquotank	At-Grade	Horseshoe Road at South Mills (northern boundary) BYP 17 southeast of Elizabeth City (southern boundary)
US-74	M-3**	Brunswick & New Hanover	At-Grade	Village Rd NE / SR-1472
US-64	M-5**	Martin & Bertie	515	Alt US-64

\* Location of proposed station must be within one mile driving distance from the AFC. The one-mile measurement starting point must be a point on the AFC between the geographic boundaries indicated in the cross-street data.

\*\* Indicates a dual-designation corridor, and stations may be proposed within a one-mile driving distance of the exit indicated.



**Table 4-2 Multiple AFC Priority Clusters – Note: Cluster Names that start with M cover multiple AFCs. NEVI station locations will be limited to a 1-mile driving distance from one of the exits on each AFC within the cluster.**

AFC	CLUSTER NAME	COUNTY(S)	AFC 1 EXITS	AFC 2 EXITS
I-77/I-485	M-1	Mecklenburg	I-77: 18	I-485: 21
			I-77: 19A	I-485: 23A I-485: 23C
I-73/I-40	M-2	Guilford	I-73: 102	I-40: 213
			I-73: 103A	I-40: 214
US-70/US-17	M-4	Craven & Jones	US-70: 410	US-17: 141
			US-70: 411	US-17: 411
			Glenburnie Rd **	Glenburnie Rd **
			Dr MLK Jr Blvd **	Dr MLK Jr Blvd **
			NC-55 **	NC-55 **
			US-70: 417A	US-17: 417A

**\*\* Indicates a dual-designation corridor, and stations may be proposed within a one-mile driving distance of the exit indicated.**

### 4.3 Eligible Costs

For the purposes of this RFP, a project site is defined as the location where one or more charging stations are located. A project site may contain both a NEVI charging station and a non-NEVI charging station. NEVI charging stations must be compliant with 23 CFR 680 and the entirety of this RFP. Applications will be evaluated on the NEVI charging station(s) and related amenities, as outlined in this RFP. Awardees will be reimbursed for only NEVI charging station related costs and required utility upgrades per this RFP. When ports and stations are referenced in this RFP, they refer only to NEVI ports and NEVI charging stations, unless otherwise specified.

Awardees will be reimbursed for eligible costs according to the submitted Cost Proposal Form (Attachment 4). Applicants may apply for up to 80 percent federal cost share of the eligible costs, with a minimum required match of 20 percent from non-federal sources. The remaining project costs (non-eligible costs) are the Applicant’s responsibility.

Eligible costs are expenses defined to be eligible by [23 CFR 680](#) and its guidance as expenses directly related to deployment and operation of EV charging infrastructure. To be considered directly related to vehicle charging operations, items must be a necessary component in the EVSE station operations, be a necessary component to connect the EVSE station to the electricity source (or to supply power from the electricity source), enable management of electricity demand or back-up power (if applicable), provide eligible signage to direct EV users to the charging station, or provide information to EV users about charging station use. This includes costs of new public EVSE charging stations, as well as upgrades to existing EVSE charging stations.

All electricity sold through the project must be provided by the local electric utility provider, per state law, and cannot include electricity generated on site or by a commercial entity. Additionally, Applicants are required to check if the utility has an EV make ready program or credit, and if it exists, the Applicant is required to apply for it.

Examples of eligible costs include, but are not limited to:

Capital costs, including:

1. Lease of real estate
2. Initial and upgrade costs for new public EVSE stations
3. Battery storage equipment and installation directly related to the charging station infrastructure
4. Construction costs (as defined under 23 U.S.C. 101(a)(4)) related directly to EV charging stations
5. Costs to procure, install, repair, upgrade, and/or replace existing EV charging equipment to meet NEVI minimum standards and requirements
6. Costs to procure and set up EV charging equipment related hardware and software
7. Equipment and installation to provide utility distributed power to EVSE stations and battery storage systems
8. Equipment and installation for on-site electric service equipment (e.g., power meter, transformer, switch gear)
9. Minor electricity distribution system upgrades
10. Repairs, upgrades, or replacements of existing EVSE equipment to meet NEVI Formula Program minimum standards and requirements
11. Costs needed to update existing EVSE stations to meet ADA requirements and US Access Board Recommendations
12. Costs to promote EVSE workforce development activities, including workforce opportunities for local disadvantaged communities (DAC)
13. Pre-construction costs associated with environmental review, site design, and preliminary engineering for Combined Charging System Type 1 (SAE CCS1) and North American Charging Standard (SAE J3400) connectors and/or adaptors
14. Combined Charging System Type 1 (SAE CCS1) and North American Charging Standard (SAE J3400) connectors and/or adaptors
15. Light-duty EVSE infrastructure projects that meet NEVI Formula Program requirements
16. Cost of any shared equipment that supports both NEVI and non-NEVI ports prorated based on the proportion of the power rating of the equipment that can supply the NEVI ports simultaneously

#### **4.4 Ineligible Costs**

Ineligible costs are expenses deemed to be ineligible by [23 CFR 680](#) as well as other applicable federal, state, and local laws.

Ineligible costs include, but are not limited to:

1. Costs incurred prior to a fully executed project agreement with NCDOT
2. Costs not related directly to vehicle charging
3. Costs for lobbying, or for the intervention in state, federal regulatory, or adjudicatory proceedings
4. Costs for construction or general maintenance of building(s) and parking facilities (if not related directly to vehicle charging)
5. Costs of major grid upgrades (longer line extension or upgrades, improvements to offsite power generation, bulk power transmission, or substations)

6. Cost of any equipment that supports only non-NEVI ports
7. Portion of the cost of any shared equipment that supports both NEVI and non-NEVI ports that is beyond the eligible amount
8. Level 2 chargers if reimbursement is sought for the Level 2 chargers
9. Utility service upgrade costs covered by the utility
10. Costs covered by programs or tariff rules of the electric utilities
11. Administrative costs, including overhead and indirect costs (e.g., office supplies, rent, marketing, and advertising)
12. Costs for research projects
13. Costs for bathrooms, access to food and drink including vending machines, and trash cans
14. Costs for energy generation, including solar arrays

## 5 HOW TO APPLY

### 5.1 General Application Requirements

Applicants are responsible for conducting their due diligence, including understanding all terms and conditions of the RFP documents and applicable federal, state, and local laws. **It is recommended that Applicants thoroughly review the reference documents listed in Section 2.2.** Questions should be submitted to NCDOT according to the instructions in Section 5.5 of this RFP.

### 5.2 Application Contents

Each application must include the following completed attachments and documents, as further described in this RFP and in the format identified, which can be found on [the NCDOT NEVI website](#).

The following attachments are incorporated into and made part of this RFP by reference:

- Attachment 3 – Signed Technical Application Form, including all required information detailed in Attachment 3 (Searchable PDF format)
- Attachment 4 – Signed Cost Proposal Form (Excel format)
- Letter from the site owner (Searchable PDF format)
- Acknowledgement of Attachment 6 – FHWA Form 1273 (Searchable PDF)
- Acknowledgement of all issued addendums (format to be detailed in addendum)

**Note: All submitted PDFs shall be searchable and not obfuscated, including images from scanned print-offs. Any application that contains a PDF that is obfuscated and not searchable may be deemed non-responsive.**

#### 5.2.1 Technical Application Form

Applicants must complete each section of Attachment 3, Technical Application Form, and provide all required information and documents. Links to information outside of the form shall not be used and will not be reviewed. No macros are allowed. The minimum font size is 10-point font. The page size shall be 8.5 x 11 inches. The maximum number of pages shall be forty (40) pages, including text, graphics, tables, charts, and photographs. Resumes for key personnel may be attached to the form. Resumes shall be limited to two pages per resume. Resumes do not count toward the 30-page limit. No more than five resumes of key staff are permitted per application. EVSE specifications, diagrams, and cut sheets do not count toward the 40-page limit.

### **5.2.2 Cost Proposal Form**

Applicants must provide a completed Attachment 4, Cost Proposal Form. An Applicant must enter the required information in the Cost Proposal Form and shall not change any formula within the form. The Cost Proposal Form will calculate the Applicant's maximum total project reimbursement and will be used to establish the maximum budget for the project. Within Attachment 4, Cost Proposal Form, each Applicant is required to follow the instructions provided in the attachment and provide the following:

- The requested reimbursement (%) for capital costs, which shall not exceed 80 percent.
- The requested reimbursement (%) for O&M costs, which shall not exceed 80 percent.
- The project costs for each cost item, as identified in Attachment 4. Costs shall include only items eligible under the NEVI program as defined in Section 4.3, Eligible Costs.
- In-kind contributions are not allowed as part of the Applicant cost share.

### **5.2.3 Letter(s) of Intent from the Site Owner**

The Applicant shall ensure public access to the proposed EV charging station 24 hours a day, 7 days a week, throughout the year, for the life of the project agreement, per [23 CFR Part 680](#). This shall include any property required for ingress and egress. A letter from the site owner of the proposed site must be provided by each Applicant. The letter must clearly state the following:

- The proposed site will be available to the Applicant for the entire length of the proposed agreement for the purpose of acquiring, constructing, installing, operating, and maintaining an EV charging station in accordance with 23 CFR 680, and all applicable laws and regulations.
- The proposed site will be accessible 24 hours a day, 7 days a week, throughout the year, for the life of the agreement, including any ingress.
- The letter from the site owner shall also include proof of ownership.
- If the proposed site is controlled via a long-term lease, the lessee must provide a similar letter stating their intent to provide access to the site, as described above, as well as a copy of the lease highlighting the section of the lease that gives them the right to agree to the terms of the proposed site owner agreement.

NCDOT reserves the right to determine the sufficiency of the Letter(s) of Intent provided with the application. The letters and any associated lease will not be scored, but will be part of the administrative responsiveness check.

### **5.3 Application Timeline**

The timeline below outlines the activities and corresponding dates that must be met by all Applicants. NCDOT may update this timeline and will notify participants by posting an addendum on [the NCDOT NEVI website](#). It is the Applicant's responsibility to refer to [the NCDOT NEVI website](#) on a regular basis for such updates.

Applications received after the deadline will be deemed ineligible and will not be reviewed. Incomplete applications may be disqualified from consideration. NCDOT is not responsible for any errors or delays caused by technical difficulties resulting from uploading applications.

ACTIVITY	DATE	TIME*	DETAILS
Final RFP Released	4/8/2024	N/A	<b><i>NCDOT: National Electric Vehicle Infrastructure (NEVI) Program</i></b>
Question Period	4/8/2024 – 4/29/2024	N/A	Questions or requests for clarification about this RFP may be submitted via the “Ask Questions About NEVI RFP” button found on the webpage <b><i>NCDOT: National Electric Vehicle Infrastructure (NEVI) Program</i></b> .
Answers Posted	Weekly on Fridays	N/A	<b><i>NCDOT: National Electric Vehicle Infrastructure (NEVI) Program</i></b>
Application Window	6/10/2024	5 p.m. ET	<b><i>NCDOT: National Electric Vehicle Infrastructure (NEVI) Program</i></b>
Notice of Conditional Award* (Anticipated)	Approximately 90 days after application window closes		<b><i>NCDOT: National Electric Vehicle Infrastructure (NEVI) Program</i></b> and by email
Execution of agreement* (Anticipated)	Approximately 60-90 days after award date (Includes all requirements outlined in Section 7.1 below)		To be detailed in Notice of Conditional Award

\* NOTE: NCDOT is not bound to these timelines and may take more time to conduct the NEPA clearance process and obtain the appropriate authorizations from the Federal Highway Administration.

## 5.4 Application Submission

Applications shall be submitted via the “Upload Complete Application Documents” button found on the webpage ***NCDOT: National Electric Vehicle Infrastructure (NEVI) Program***. Applications for multiple clusters must be submitted separately.

The button opens a form where the Applicant will provide the information requested. Select the correct cluster name from the drop-down menu and provide the business name, contact person, and email. The Applicant must also upload all relevant documents through this form.

Applicants shall submit the signed, completed application, with the required contents noted in Section 5.2, Application Contents, as separate attachments and in the file format noted above. The Applicant will receive a confirmation email stating NCDOT received the application.

## 5.5 Application Questions and Addendums

Questions or requests for clarification about this RFP may be submitted via the “Ask Questions About NEVI RFP” button found on the webpage [NCDOT: National Electric Vehicle Infrastructure \(NEVI\) Program](#).

Questions should include the following information. Questions that do not identify all of the requested information will not be addressed.

- RFP Document Name
- RFP Document Section #
- RFP Document Page #
- Question

NCDOT will respond to questions on a rolling basis during the question and answer period referenced in Section 5.3, Application Timeline. Answers to questions will be posted on the [NCDOT: National Electric Vehicle Infrastructure \(NEVI\) Program](#) webpage. Verbal or audio recorded questions will not be addressed. Applicants shall not contact any other NCDOT personnel, consultants, or agents regarding this RFP from the date of advertisement until an award is issued by NCDOT. Violation of this section by an Applicant may be grounds for rejecting an application(s) from that Applicant.

NCDOT reserves the right to amend this RFP at any time by addendum. If the addendum is issued after the closing date for receipt of applications, NCDOT may, in its sole discretion, allow Applicants to amend their project applications in response to the addendum, if necessary. The Applicants shall acknowledge all addendums in writing, per the instructions included in the addenda. Failure to review and acknowledge all addenda may be grounds for rejection of an application and may be deemed nonresponsive.

## 5.6 Amendment or Withdrawal of an Application

Applicants may withdraw or amend and resubmit project applications at any time before the closing date given in Section 5.3 of this document.

Application amendments and withdrawals are requested using the “Ask Questions About NEVI RFP” button on the [NCDOT NEVI website](#). Applicants must include the subject heading of “Withdraw to Amend” or “Withdraw” on the form. The contact name and email used to submit the application must also be used in the form to withdraw/amend.

When amending an application, the applicant must then submit a new technical application in its entirety, including all attachments and documents specified in Section 5.2 Application Contents. Amended applications are submitted using the “Upload Complete Application Documents” button on the [NCDOT NEVI website](#).

## 5.7 North Carolina DOT Discretion

NCDOT reserves the right to reject any or all applications at any time prior to the execution of a project agreement. NCDOT is not obligated to fund an application from an Applicant that has demonstrated marginal or unsatisfactory performance on previous competitive selections or contracts with NCDOT or other state agencies.

NCDOT reserves the right to verify information contained in the application. This may include using publicly available information and other outside sources to evaluate the Applicant's performance under other contracts.

## 5.8 Disqualification of Applications

NCDOT may choose to reject or not evaluate applications for any one of the following reasons:

- The Applicant fails to deliver the application by the due date and time
- The Applicant acknowledges that a requirement of the application cannot be met
- The application materially changes a requirement of this RFP or the application is not compliant with the requirements of this RFP
- The application limits the rights of NCDOT
- The Applicant fails to submit a timely response to NCDOT's request for information, documents, or references
- The Applicant fails to include an authorized signature
- The Applicant presents the information requested by this RFP in a format inconsistent with the instructions of the RFP or otherwise fails to comply with the requirements of the RFP, including but not limited to failing to provide all required information
- The Applicant provides misleading or inaccurate responses
- The application includes conditional offers or non-committal language
- There is insufficient evidence (including evidence submitted by the Applicant) to satisfy NCDOT that the Applicant is properly qualified to meet the requirements of the RFP or application
- The proposed project(s) are not in compliance with applicable state and federal statutes and rules
- The Applicant exceeds the page limit specified in Section 5

## 5.9 Process for Clarification of Application Information

NCDOT reserves the right to contact an Applicant after the submission of an application for the purpose of clarifying the application to ensure mutual understanding. NCDOT will not consider information received if the information materially alters the content of the application or alters the type of project the Applicant is proposing. Failure to comply with requests for additional information may result in rejection of the application as non-compliant.

## 5.10 Disposition of Applications and Copyrights

All applications become NCDOT property and will not be returned to the Applicant at the conclusion of the selection process. Contents of all applications will be in the public domain and open for inspection by interested parties, subject to [North Carolina Public Records Law](#) and other applicable laws.

The Applicant agrees that NCDOT may copy the application for purposes of facilitating the evaluation of the application or to respond to requests for public records. By submitting an application, the Applicant consents to such copying and warrants that such copying will not violate the rights of any third party.

# 6 EVALUATION OF APPLICATIONS

## 6.1 Evaluation Process

NCDOT will use the following process to evaluate applications:

### 6.1.1 Step 1: Responsiveness Check

All applications will be reviewed for responsiveness (responsiveness check) to confirm the application meets the RFP requirements. The responsiveness check can be found in Attachment 3, Technical Application Form, and is a two-step, pass/fail assessment. The first step is an administrative responsiveness check. Applications that fail the administrative responsiveness check will be determined to be non-responsive and may not be evaluated further. If an Applicant or application fails to meet one or more of the requirements detailed in Attachment 3, it may be determined to be non-responsive.

The second step is a technical responsiveness check. Applications must meet minimum NEVI requirements per 23 CFR 680. This includes, but is not limited to, the requirements outlined in Attachment 3, Technical Application Form. Applications that fail the technical responsiveness check will be determined to be non-responsive and may not be evaluated further. If an Applicant or application fails to meet one or more of the requirements detailed in Attachment 3, Technical Application Form, it may be determined to be non-responsive.

### 6.1.2 Step 2: Technical Application Scoring Criteria and Evaluation

For the purpose of evaluating technical applications, NCDOT will establish a review committee made up of no less than three members. Applications that pass the responsiveness check will be evaluated individually and scored by each review committee member on a competitive basis according to the scoring criteria and point maximums provided in the table below.

TECHNICAL SCORING CRITERIA	MAXIMUM POINTS POSSIBLE (175 TOTAL)
<b>1. Applicant Background, Experience, and Team Organization</b>	35
<b>Applicant Team Organization:</b> Describe the Applicant team organization per Attachment 3, Technical Application Form.	5
<b>Approach to Project Management:</b> Describe the approach to project management per Attachment 3, Technical Application Form.	5
<b>Prior Experience with 50 kW or Higher EVSE Projects:</b> Provide prior EVSE experience per Attachment 3, Technical Application Form. <ul style="list-style-type: none"> <li>• 7 pts for 16+ projects</li> <li>• 5 pts for 11–15 projects</li> <li>• 3 pts for 5–10 projects</li> <li>• 2 pts for 1–4 projects</li> <li>• 0 pts for 0 projects</li> </ul>	7
<b>Prior Experience with Title 23 Funding and Federal Programs:</b> Describe the Applicant team experience with Title 23 funding and federal programs	3
<b>Prior Experience with Davis-Bacon Act Compliance:</b> Describe the Applicant team experience with Davis-Bacon Act compliance.	3



TECHNICAL SCORING CRITERIA	MAXIMUM POINTS POSSIBLE (175 TOTAL)
<p><b>Prior Experience with Build America, Buy America Act Compliance:</b> Describe the Applicant team experience with Build America, Buy America Act compliance.</p>	3
<p><b>Prior Experience with State Funded Government Projects:</b> Describe the Applicant team experience with State Funded Government Projects.</p>	3
<p><b>Operational Experience:</b> Experience operating a fueling station:</p> <ul style="list-style-type: none"> <li>• 2 pts for 6–10 years experience</li> <li>• 1 pts for 2–5 years experience</li> </ul> <p>Experience providing customer service:</p> <ul style="list-style-type: none"> <li>• 2 pts for 6–10 years experience</li> <li>• 1 pts for 2–5 years experience</li> </ul> <p>Experience with data management and reporting:</p> <ul style="list-style-type: none"> <li>• 2 pts for 6–10 years experience</li> <li>• 1 pts for 2–5 years experience</li> </ul>	6
<p><b>2. General Project Approach and Understanding</b></p>	25
<p><b>Project Approach and Understanding:</b> Describe the project approach and understanding per Attachment 3, Technical Application Form.</p>	10
<p><b>Approach to Permitting and Utility Coordination:</b> Describe the approach to permitting and utility coordination per Attachment 3, Technical Application Form.</p>	5
<p><b>Approach to Operations and Maintenance:</b> Describe the approach to O&amp;M per Attachment 3, Technical Application Form.</p>	5
<p><b>Approach to Cybersecurity and Data Management:</b> Describe the approach to cybersecurity and data management per Attachment 3, Technical Application Form.</p>	5

TECHNICAL SCORING CRITERIA	MAXIMUM POINTS POSSIBLE (175 TOTAL)
<b>3. Site Proposal</b>	<b>67</b>
<p><b>Proposed Site Details, Design, and Layout and Area Map:</b> Describe the proposed site details, design, layout, and area map and identify each item clearly in a preliminary site design and layout or the area map as described in Attachment 3, Technical Application Form, Section 11.</p> <ul style="list-style-type: none"> <li>• 10 pts for ease of entry, access, and visibility from the main road directly off the AFC</li> <li>• 10 pts for site safety, ease of navigation for pedestrians on the site, signage, lighting, striping of walkways, security, cameras, etc.</li> <li>• 10 pts for existing and proposed site characteristics, including hours of access to bathrooms, food, drink, and amenities, as well as quality of amenities</li> <li>• 10 pts for site layout for ease of EVs getting around the site, pull-through islands, siting and protection of equipment, oversize spaces vs. normal spaces, no one way directions, etc.</li> </ul>	40
<p><b>Primary Amenities:</b> 5 points for each of the following publicly and ADA-accessible applicable items within 500-foot walking distance.</p> <ul style="list-style-type: none"> <li>• On-site staff</li> <li>• Pull through spot for EVs with trailers</li> <li>• Shade/Canopy over charging stations</li> </ul>	15
<p><b>Secondary Amenities:</b> 4 points for each of the following publicly and ADA-accessible applicable items within 500-foot walking distance.</p> <ul style="list-style-type: none"> <li>• On-site retail</li> <li>• On-site restaurant</li> </ul>	8
<p><b>Additional Amenities:</b> 1 point for each of the following publicly and ADA-accessible applicable items within 500-foot walking distance.</p> <ul style="list-style-type: none"> <li>• Bench/seating/picnic table</li> <li>• Pet area/dog run</li> <li>• Playground/natural area</li> <li>• Extra parking spots (overflow parking)</li> </ul>	4
<b>4. Innovation and Resiliency</b>	<b>23</b>
<p><b>Approach to Site Resiliency:</b> Describe the approach to site resiliency per Attachment 3, Technical Application Form.</p>	5

TECHNICAL SCORING CRITERIA	MAXIMUM POINTS POSSIBLE (175 TOTAL)
<p><b>Resiliency and Innovation:</b> 2 points for each of the following criteria.</p> <ul style="list-style-type: none"> <li>• Back-up power</li> <li>• Energy storage, defined as battery charging equipment that is charged by the utility service</li> <li>• Undergrounding of lines/conduits</li> <li>• Future proofing (proposed installation during construction period of extra conduit, larger transformer, etc.)</li> </ul> <p><i>Note: Level 2 chargers will not be reimbursed</i></p>	8
<p><b>Approach to Innovation:</b> Describe the approach to innovation per Attachment 3, Technical Application Form.</p>	5
<p><b>Output Voltage Range:</b> 5 points if EV charging infrastructure is capable of providing DC output voltages over the entire range of 250–920 volts (VDC).</p>	5
<p><b>5. Workforce, J40, and Rural Considerations</b></p>	<b>25</b>
<p><b>Approach to Workforce Development:</b> Describe the approach to workforce development including opportunities for local DACs per Attachment 3, Technical Application Form, Section 18.1.</p>	5
<p><b>Justice-40 (J40) Considerations:</b> Describe how the project creates benefits for federally designated DACs per Attachment 3, Technical Application Form, Section 18.3.</p>	5
<p><b>Project is located within 1 mile of a federally designated disadvantaged community</b></p>	5
<p><b>Rural Considerations:</b> Describe the approach to rural considerations per Attachment 3, Technical Application Form, Section 18.4. To see the definition of rural areas, see the definitions section at the start of this document.</p>	5
<p><b>Small Business:</b> Describe the approach to working with small businesses per Attachment 3, Technical Application Form, Section 18.5.</p>	5

The technical score will be calculated by averaging the total scores from each review committee member. NCDOT reserves the right to hold consensus meetings as part of the evaluation process.



### 6.1.3 Step 3: Cost Proposal Evaluation

The cost score for each cost proposal will be calculated according to the formula detailed below.

SCORING CRITERIA – COST PROPOSAL	MAXIMUM POINTS POSSIBLE
<b>1. Cost Proposal</b>	<b>25</b>
<p>The Cost Proposal will be evaluated per cluster based on the Applicant’s Maximum Total Project Reimbursement, as calculated and defined in Attachment 4, Cost Proposal.</p> <p>The lowest Maximum Total Project Reimbursement in each cluster will receive a total of 25 points. All other Cost Proposals in each cluster will be normalized according to the following calculation:</p> $\text{Cost Score} = \frac{\text{Lowest Maximum Total Project Reimbursement from Responsive Applicants per cluster}}{\text{Maximum Total Project Reimbursement from Applicant}} \times 25$	25

### 6.1.4 Step 4: Score Tabulation

The final score for each responsive application will be calculated by adding the technical score to the cost score. The maximum final score for any application is 200 points. The review committee will finalize all award recommendations. The review committee will provide a recommendation to the NEVI Steering Committee, comprised of three or five NCDOT representatives. The NEVI Steering Committee will finalize all award decisions.

NCDOT has final decision-making authority to award a project agreement to the selected Applicants.

### 6.1.5 Step 5: Award

NCDOT may select Applicants to receive a conditional award for a responsive application that has been recommended by the review committee and approved by the NEVI Steering Committee. NCDOT will notify selected Applicants of their award and will post the intent to award on the [NCDOT NEVI website](#).

NCDOT reserves the right to not award to any of the 11 sites during this time. Note that NCDOT will first conditionally award applications meeting the requirements and providing the best value. The award is conditional until NEPA clearance has been achieved and all required items have been submitted and approved by NCDOT.

## 6.2 Application Irregularities and Clarifications

NCDOT has the authority to reject any or all applications and to waive or allow corrections of any minor irregularity or non-material omission. NCDOT can request clarifications from Applicants, and the answers must be provided in the format detailed and deadline provided by NCDOT. Applicant’s answers and clarifications will become part of the application.

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## 7 POST-AWARD

### **7.1 NEPA Clearance Prior to Execution of Agreement**

After NCDOT has issued a conditional award through the notice of intent to award, NCDOT will conduct the NEPA review for each conditionally awarded site. The conditional Awardee must provide support to NCDOT through the NEPA approval process. Any site that is unable to achieve NEPA clearance through a Categorical Exclusion may have their conditional award rescinded by NCDOT. NCDOT may issue a conditional award to the second highest application for that cluster and conduct the NEPA review. All sites that are issued conditional awards must receive NEPA clearance prior to executing the project agreement.

### **7.2 Execution of Agreement**

The Applicant shall sign the project agreement within 45 calendar days of achieving NEPA clearance and receipt of the project agreement. At the time of execution of the project agreement, the Applicant shall provide the following documents.

#### ***7.2.1 Signed Site Host Agreement between Applicant and Site Host Business Owner***

The site host agreement shall be between the Applicant and the business entity that holds the proper authority to enter into an agreement to construct and operate an EV charging station on the site referenced in the award. The site host agreement shall include the following items:

- The site host agreement shall include proof of ownership of the site.
- If the site is controlled via a long-term lease, the lessee must also provide a letter from the site owner, as well as a copy of the lease highlighting the section of the lease that gives the lessee the right to agree to the terms of the site host agreement.
- The site host agreement shall have an effective date no sooner than the date of execution of the agreement between NCDOT and the Applicant.
- The site host agreement must include the details outlined in Section 5.2.3.
- The site host agreement must address what occurs if either party becomes in default with either the site host agreement or the project agreement the Awardee has with NCDOT.
- The site host agreement shall include the NEPA clearance provided by NCDOT.

#### ***7.2.2 Signed Letter from the Utility***

The signed letter from the utility shall confirm that the utility will provide electrical service to the Applicant at the proposed site.

#### ***7.2.3 Letter of Credit***

A sample Letter of Credit will be provided with the Notice of Conditional Award. The Applicant shall provide a Letter of Credit which shall include similar language to the sample provided, and shall have an effective date no sooner than the date of execution of the project agreement. The Letter of Credit shall be provided for an amount equal to 60 percent of the Maximum Total Project Reimbursement. After each successful year of O&M, the total amount of the Letter of Credit can be reduced by 20 percent of the original amount following notification from NCDOT. The Letter of Credit will be drawn upon in the event of default by the Applicant.

### **7.2.4 Proof of Registration to do Business in North Carolina**

All Applicants shall provide proof of registration to do business in North Carolina and cannot be debarred.

### **7.2.5 Any Additional Documentation**

Applicant shall provide any additional certificates or documents deemed necessary by NCDOT.

**Note: The Applicant cannot incur or agree to the payment of any costs to be requested for reimbursement prior to the execution of the project agreement.**

Once the Applicant has provided the required documents outlined above, the project will be considered funded and has commenced. NCDOT may rescind the award if the Applicant does not sign the project agreement and provide the required documents in a timely manner.

## **7.3 Reimbursement Mechanism**

Awardees will be eligible to submit invoices for reimbursement in accordance with the following:

- **Capital Construction Payment:** Cost reimbursement may be claimed upon full compliance with and completion of Tasks 1, 2, 3, and 5 as detailed in Attachment 2, Scope of Work. Supporting documentation of actual costs incurred is required, including invoices and proof of payment for reimbursement of costs already paid by the Awardee.
  - **Capital Construction Payment Withholding:** NCDOT will withhold 25 percent of the total capital maximum reimbursement amount claimed. Of this withholding, 20 percent will be released on an annual basis at the time of annual O&M payments, if all performance requirements and obligations of the project agreement are met.
- **Annual O&M Payment:** Cost reimbursement may be claimed for annual O&M costs upon annual compliance with and completion of Tasks 4 and 5, as detailed in Attachment 2, Scope of Work. Supporting documentation of actual costs incurred is required.
- **Final Payment:** Cost reimbursement may be claimed for the final year of O&M costs and all remaining withholding upon annual compliance with and completion of Tasks 4, 5, and 6, as detailed in Attachment 2, Scope of Work. Supporting documentation of actual costs incurred is required.

NCDOT will only pay up to the maximum total project reimbursement detailed in the Cost Proposal Form during the application process for eligible costs (See Section 4.3) and all costs will be finalized in the final project agreement.

## **7.4 Pay for Performance**

Additionally, a pay-for-performance approach shall be incorporated into the payment mechanism, incentivizing optimal performance of the charging stations, specifically meeting the 97 percent or greater uptime requirement, per port as required by 23 CFR 680.116.

- During the O&M period, the following deductions will occur from the annual O&M payment when claims for reimbursement are submitted:
  - For every percentage point, or fraction thereof, that the 97 percent uptime is not met on a per-port basis, \$1,000 will be deducted from that year's O&M payment.
  - If there is no remaining O&M payment for the deduction to be subtracted from, the amount will be deducted from the remaining withholding.
  - Once deducted, the funds can never be reclaimed.

## 7.5 Reasonable Return on Investment

Per question [6.4 in the NEVI Formula Program Q&A](#) and [23 CFR 680.106\(m\)2ii](#), the Awardee is not allowed to make more than a Reasonable Return on Investment on the charging station (project). This applies only to income received from EV charging. Reasonable Return on Investment on the charging station is determined by the State as no more than 25 percent annual profit on the project.

The profit is calculated once at the end of the project and does not extend beyond the life of the project agreement. Profit is defined as the remainder of all revenue received from the operation of the EV charging and reimbursements from NCDOT (Total Revenue) after all eligible expenses, including reimbursable and non-reimbursable expenses, have been deducted.

$$\text{Profit \%} = \frac{(\text{Revenue from Operations} + \text{Reimbursements}) - \text{Eligible Expenses}}{\text{Eligible Expenses}} \times 100\%$$

**Revenue:** Revenue received from the operation of the project and reimbursements over the life of the project agreement.

**Eligible Expense:** Includes all reimbursed and non-reimbursed eligible expenses the Awardee has incurred over the life of the project agreement. This includes the Applicant Cost Share.

Any profit over 25 percent must be returned to NCDOT. This is capped at the Total Reimbursement amount. The Awardee shall provide a signed letter with the final invoice stating the amount of profit earned. NCDOT may ask for the Awardee to provide documentation as to the amount of profit earned.

In the example below, the Awardee receives \$45 in revenue from EV Charging Operations. The total eligible expenses for the Project equals \$100. This includes both reimbursable and non-reimbursable expenses. The Awardee is reimbursed 80% of their total eligible expenses, equaling \$80. In this example, the Applicant Cost Share is \$20. In addition to making back their Applicant Cost Share of \$20, the Awardee is able to make an additional \$25 in profit, more than doubling their at-risk investment (Applicant Cost Share).

