

## Questions and Answers (from Webinar, and submitted after Webinar)

### June 5, 2020 West Coast Electric Highway Pre-Proposal Webinar to Upgrade and Enhance Oregon's West Coast Electric Highway

*July 1, 2020*

#### **Answers to Questions Raised During the Question & Answer Portion of the Webinar**

Q1. Participants inquired about the current ownership of the West Coast Electric Highway (WCEH), and sought to clarify what entity purchased the Oregon and original Washington West Coast Electric Highway charging sites from Webasto Charging Systems, Inc.

A1. The current owner of the West Coast Electric Highway is:

EV Charging Solutions

<http://www.evchargingsolutions.com/>

Point of contact: Charles W. Botsford, PE  
charlieb@evchargingsolutions.com

Q2. Participants asked whether the Oregon Department of Transportation (ODOT) is seeking proposals for one private entity to own, upgrade, operate and maintain all 44 sites in Oregon via this funding opportunity, or whether ODOT is open to dividing the ownership among multiple parties for different sites.

A2. ODOT seeks one single entity to install, own, operate and maintain an upgraded network of Oregon West Coast Electric Highway charging stations at sites in each of its 44 communities.

Q3. Participants asked whether vendors may respond to specific areas of the RFP (e.g., charging stations) or whether ODOT is seeking a full turnkey response.

A3. ODOT seeks a full turnkey proposal in response to its RFP, to install, own, operate and maintain an upgraded network of the Oregon West Coast Electric Highway charging stations at sites in each of its 44 communities. Different entities are free to partner with one another, to develop a full turnkey proposal.

Q4. Participants inquired whether proposers are expected to negotiate a separate agreement with the current owner to assume full responsibility for the stations. Also,

participants inquired whether the “Partner with existing owner and upgrade” option required a proposal response with EV Charging Solutions.

A4. In the webinar, ODOT described three options for participation in this funding opportunity: (1) Acquire the existing WCEH host site agreements and charging station equipment, and upgrade these, (2) Partner with the current owners to upgrade, operate and maintain the Oregon WCEH charging stations in each of 44 communities, or (3) Develop new WCEH charging station sites in each of the 44 communities. The option pursued will determine the nature of the relationships among the parties proposing on this funding opportunity. ODOT seeks proposals that offer a full turnkey solution, and parties may form a team in order to submit one proposal that provides a full turnkey solution.

Q5. Participants sought clarification regarding the necessity of removing charging equipment from existing sites, if an applicant sought to propose new sites. Additionally, clarification was sought regarding whether the applicant would be required to dispose of existing stations/equipment, if stations will be upgraded with new hardware.

A5. The requirement for removal/disposal of existing charging equipment at stations, when upgrades are made, will depend upon the participation option that the applicant pursues. If the applicant owns the existing stations/equipment, then the applicant will be required to remove and dispose of the existing equipment when charging stations are upgraded. If the applicant does not own the existing stations/equipment and is not partnering with the current WCEH charging station owner to upgrade the existing stations, but rather proposes new charging station sites within each community currently served, the applicant will not be required to remove and dispose of the existing charging equipment at the current WCEH stations – as the applicant would have no legal authority to do so, since those assets are owned and operated by a separate private entity.

Q6. Participants inquired whether this funding opportunity is primarily for existing sites.

A6. To offer a competitive proposal opportunity, ODOT seeks proposals to either upgrade the existing assets/ sites at each of the current WCEH locations, or to create a new WCEH network of upgraded charging stations serving each of the 44 communities currently supported by an existing WCEH charging station. ODOT is deliberately choosing the word “community” to enable a sensible alternate location that is accessible to current EV drivers in each charging station area who have come to rely on EV charging via existing WCEH locations. This funding opportunity is designed to upgrade WCEH charging stations /venues, but is not an opportunity to fund new charging station locations throughout other parts of Oregon.

Q7. Participants had several questions seeking clarification about developing new site host agreements for proposed new venues for WCEH stations, or transitioning existing site host agreements from current WCEH sites. For example, participants sought to understand why new sites might be needed, how new sites would be evaluated, whether it would be sufficient for applicants proposing new sites to present Letters of Intent from new site locations, and whether applicants proposing new sites would be able to structure site host agreements in any manner they deemed appropriate. Additionally applicants sought to understand whether the applicant team would be required to develop a new leasing deal with each host site 'landlord'.

A7. To offer a competitive proposal opportunity, as mentioned in Answer 6, ODOT seeks proposals to either upgrade the existing 44 WCEH sites/locations, or to create a new WCEH network of upgraded charging stations serving each of the 44 communities currently supported by an existing WCEH charging stations. The Request for Proposal (RFP) will contain a section with desired attributes for ideal WCEH site locations that largely reflects *Exhibit D: Requirements for Use of WCEH Branding and Logo* contained in Washington Department of Transportation's *Non-Exclusive Trademark License Agreement* [http://www.westcoastgreenhighway.com/pdfs/WSDOT\\_LICENSE\\_AGREEMENT\\_WCEH\\_BRANDING.pdf](http://www.westcoastgreenhighway.com/pdfs/WSDOT_LICENSE_AGREEMENT_WCEH_BRANDING.pdf). (note: the Exhibit D requirements for use of WCEH Branding and Logo may be updated prior to issuance of Oregon's WCEH upgrade RFP.)

New proposed sites must offer leasing/site host agreements that run for the full term of this funding opportunity (5 years from the point in time of upgrade/station installation and equipment commissioning) and meet standards for EV driver access to sites, as well as access for charging station maintenance and repair, and all other standards specified in the RFP (including specific standards for WSDOT's Trademark License Agreement and requirements for use of the WCEH branding and logo). A letter of intent from a proposed new site host is desirable, but will not be required, as part of the RFP response.

The owner/applicant team of the WCEH current sites will need to negotiate a transfer of the existing site host/lease agreements from prior owners to the current owners, or negotiate a new site host/ lease agreement, as desired by the host sites and the owner/applicant team.

Q8. Participants asked for clarification on how Oregon will mirror California payment mechanisms, and whether Oregon will require compliance with NTEP similar to what California is implementing.

A8. The RFP will clarify precise requirements regarding payment mechanisms, but the required payment mechanisms specified in California's Final Regulation Order for Electric Vehicle Supply Equipment general standards and requirements (see link to California's Air Resources Board's website [https://ww2.arb.ca.gov/sites/default/files/2020-06/evse\\_fro\\_ac.pdf](https://ww2.arb.ca.gov/sites/default/files/2020-06/evse_fro_ac.pdf)) are anticipated to be mirrored in Oregon, including requirements for credit and debit card payment options, including chip and tap cards, as well as a mobile

payment option. Oregon will consult with the state's weights and measures regulatory bodies to determine whether to require compliance with the National Institute of Standards and Technology (NIST) Handbook 44 standards and pursue National Conference on Weights and Measures (NCWM) National Type Evaluation Program (NTEP), similar to California.

Q9. Participants inquired whether there would be federal requirements such as Davis-Bacon or Buy America provisions in the WCEH funding opportunity compliance.

A9. These provisions will be clarified in the RFP, based on discussions within ODOT's procurement division and the Oregon Department of Justice.

Q10. Participants inquired whether there will be RFP scoring benefits for minority-owned or women-owned proposers, or disadvantaged business enterprises.

A10. These provisions will be clarified in the RFP.

Q.11. Participants inquired about whether dual-protocol 100kW DCFC equipment is sufficient, and whether ODOT advocates for brands of chargers that have significant presence in the U.S.

A11. ODOT is seeking the best value for its EV drivers, and because the WCEH is enrolled in ODOT's Innovative Partnership Program, ODOT will focus on best value in equipment rather than lowest price. The RFP will encourage adoption of 100 kW DCFC chargers or higher, and may require wiring for up to 150 kW DCFC chargers. At a minimum, replacement of 50 kW DCFC charging equipment will be specified. ODOT will evaluate DCFC proposed equipment and Level 2 proposed equipment based on a mix of features, reliability, durability, performance in the field in the past, maintenance / up time performance, and other attributes that comprise best value.

Q12. Participants inquired about whether rates charged to drivers will play a role in decision-making, and whether the financial health of the applicant will be a factor in decision-making.

A12. ODOT will seek the best value for its EV drivers, and when evaluating applications, will consider both the financial health of the applicant as well as reasonable, competitive pricing proposals and pricing transparency prior to an EV driver initiating a charge at each station.

Q13. Participants inquired about whether there are Service Level Agreement (SLA) requirements for the maintenance coverage for the WCEH.

A13. Applicants will be required to demonstrate the capability to provide maintenance, the ability to meet criteria levels for uptime and speed of response, and hence ODOT is likely to negotiate a SLA with the applicant team.

Q14. Participants inquired whether ODOT has developed its scoring weighting for each of the four evaluation categories: Understanding, Methodology, Management, and Costs.

A14. The RFP will clarify scoring weighting.

Q15. Questions arose regarding the composition of the evaluation team, and whether EV drivers who have used the WCEH will be on the team.

A15. ODOT will select an experienced, knowledgeable evaluation team which will include EV drivers who have used WCEH charging stations.

Q16. Participants asked whether funding from other sources may be used for this project.

A16. Yes, funding from other sources may be used.

Q17. Participants inquired about whether ODOT would make available detailed energy usage history, financial history, and existing site plans.

A17. On ODOT's Office of Innovation website, in the section on the West Coast Electric Highway, there are several PDFs that contain detailed energy usage information by site, over time. Additionally, there is a high-level characterization of existing site host agreements. See: <https://www.oregon.gov/odot/Programs/Pages/Electric-Vehicles.aspx>. ODOT does not have information about historical financials. To obtain insight into financials and site plans, an applicant may want to contact the current owners of the WCEH.

Q18. Participants asked about the projected timeline for RFP responses.

A18. It is anticipated that applicants will have about 6 weeks to respond to the RFP, once released.

Q19. Participants asked about the physical status of the charging stations, and whether stations have had many issues.

A19. Current WCEH stations include original AeroVironment equipment for both DCFC and Level 2 charging stations. (AeroVironment's WCEH assets and host site agreements were purchased in 2018 by Webasto Charging Systems, Inc., and in 2020 these WCEH assets and host site agreements were purchased by EV Charging Solutions). This equipment has been much used and appreciated, but has aged over time. After 8+ years of operation, the equipment is in need of refurbishment, and the Oregon Department of Transportation's funding opportunity will support the needed upgrades of charging equipment to dual-protocol DCFC that offer both CHAdeMO and CCS charging capabilities, and updated Level 2 equipment.

Q20. Participants asked how to get a copy of the RFP.

A20. Once ODOT finalizes the RFP and it goes through the state's internal review process, the RFP will be posted to ORPIN, the Oregon Procurement Information Network. Applicants need to register with ORPIN and set up an account, see <https://www.oregon.gov/DAS/Procurement/Pages/ORPIN.aspx>. As a courtesy, ODOT's Office of Innovation will send an e-mail to those who registered for the webinar to let you know that the RFP has been posted on ORPIN.

### **Answers to Questions Submitted to the Office of Innovation After the June 5<sup>th</sup> Pre-Proposal Webinar.**

Q21. Is it expected that the winner of the RFP will also replace the existing Level 2 chargers at each of the 44 Oregon WCEH venues?

A21. Yes. The RFP will specify requirements for the DCFC and Level 2 charging equipment.

Q22. What enhancements are expected at the 44 WCEH sites?

A22. Some enhancements to the existing DCFC and Level 2 charging equipment will be specified in the RFP (such as expanded payment mechanisms and dual-protocol DCFC with both CHAdeMO and CCS connectors.) Applicants are encouraged to propose enhancements and innovations to some or all of the 44 WCEH sites beyond those specified in the RFP.

Enhancements could include, but are not limited to, innovations that enable future proofing and sustainable operations; more than the minimum number of chargers at some/all sites; more than the minimum power level for chargers at some/all sites; resiliency options (solar, battery storage, other); or increasing the reach of the WCEH by proposing new host sites beyond the original 44 communities.

Q23. Can you give more detail about the matching funds requirement? Sources? Percentage?

A23. In many publicly-funded Electric Vehicle Supply Equipment funding opportunities, applicants are required to provide a minimum amount of matching funds. ODOT's funding opportunity to upgrade and enhance the West Coast Electric Highway is anticipated to similarly require that applicants contribute their own funds (or funds from other sources) to supplement the grant monies available from Oregon. The RFP will provide greater clarity regarding matching funds, but in general more match is better and matching funds will likely be comprised of a combination of cash and in-kind contributions. ODOT seeks the best value in this proposal, and that will apply to the nature and caliber of the matching funds.

Q24. What is the typical percentage of charging revenue that is shared with the site host?

A24. The percentages of revenues shared with the site host varies by site, and revenues may come from income beyond charging EV drivers for electricity. Generally, the percentage hovers around 5%, but may vary by site.

Q25. Can you provide data on the Oregon Clean Fuel Credits generated by these sites?

A25. The Oregon Department of Environmental Quality oversees the Clean Fuels Program and the Clean Fuels Credits; see <https://www.oregon.gov/deq/aq/programs/Pages/Clean-Fuels-Regulations.aspx>. ODOT does not track information on the Clean Fuels Credits generated by the WCEH charging sites.

Q 26. Can you provide more clarity on the current site agreements and how they are impacted by this RFP? Do these agreements survive or are replaced?

- (i) Does the winning bidder take over the existing agreement terms from the current owner/operator?
- (ii) Is it up to the host to decide whether or not to upgrade?
- (iii) Does the winning bidder have to negotiate whether or not to upgrade?
- (iv) Does each site agreement get negotiated for upgrade at the expiration of its current term or is there another timeline?

A26. Host site agreements exist between the current owner of the WCEH and the host sites. In order to upgrade a WCEH current site, an applicant would need to procure the site agreements and charging assets from the current owner or develop a business relationship to partner with the current owner. It is anticipated that all sites will be upgraded within a set time period that will be specified in the RFP, likely to be less than 2 years, and it is anticipated

that host sites will welcome upgraded charging capability. Sites are expected to be operational for 5 years following upgrades, per the terms of the RFP. If current site host agreements expire prior to that time, and do not have a renewal option that extends for five years, an updated renewal will need to be negotiated.

Alternatively, in the event that the applicant seeks to create new WCEH charging station sites in the 44 communities currently served by the existing WCEH, host sites agreements with five-year terms (or longer) will have to be negotiated that meet standards specified in the RFP (see high-level insights for criteria for WCEH site hosts provided above, in answers to Questions 6 and 7, above).

Q27. The sites are served by many utilities. Is there any agreement with the current utility companies involved to work through a smooth transition for any required site upgrades, e.g., is there a fast track for utility approval for these projects?

A27. To the best of our understanding, utility relationships exist between the utilities and the current WCEH owners, and may on occasion involve certain host site property owners. There is much utility support in Oregon for transportation electrification, and this support could well translate into keen attention to transitions, and support needed for any electrical work or upgrades. However, ODOT is not aware of any formal fast track process for utility approval in place, among all the utilities.

Q28. Will the RFP include detailed site plans, including electrical line drawings, to assist bidders with creating accurate cost estimates?

A28. The RFP will not include detailed site plans. Applicants may reach out to the current owner of the WCEH sites to explore purchase or partnership opportunities that could include access to detailed site plans and electrical line drawings.

In addition to these specific questions, the Oregon Department of Transportation's Office of Innovation received several thoughtful comments about the West Coast Electric Highway and the RFP process. We appreciate the comments, suggestions, observations, and questions provided in response to the June 5<sup>th</sup> Pre-Proposal Webinar for Oregon Department of Transportation's Office of Innovation's RFP to upgrade and enhance Oregon's West Coast Electric Highway.