Notice of Funding Opportunity

Medium- and Heavy-Duty Charging Infrastructure

Oregon Department of Transportation

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1 Introduction

The Oregon Department of Transportation (ODOT) announces the availability of up to $18,290,960 in grant funds for the development of charging infrastructure to support medium- and heavy-duty (M/HD) electric vehicles (EVs) near two major Alternative Fuel Corridors (AFCs) in the State of Oregon.

This Notice of Funding Opportunity (NOFO) contains two distinct funding opportunities for the development of new or expansion of existing M/HD charging infrastructure.

1.1 Background

Congress passed the Bipartisan Infrastructure Law (BIL), also referred to as the Infrastructure Investment and Jobs Act (IIJA) on November 15, 2021, which included the Carbon Reduction Program (CRP) and Charging and Fueling Infrastructure (CFI) discretionary grant programs.

The CRP provides more than $6 billion in funding to reduce transportation related greenhouse gas (GHG) emissions, defined as carbon dioxide (CO2) emissions from on-road highway sources. The State of Oregon received $82 million in federal formula funds from the CRP over federal fiscal years 2022-2026 to support projects designed to reduce transportation emissions. ODOT has designated $4,264,867 of CRP funds for charging infrastructure to support the development of a single M/HD charging station along Interstate 84 (I-84). The Grantee is responsible for providing a minimum match of 30% of the total award.

The CFI program provides $2.5 billion to support the development of alternative fueling infrastructure projects across the country. In August of 2024, ODOT, along with the Washington Department of Transportation (WSDOT) and the California Department of Transportation (Caltrans) were awarded $102 million in support of a West Coast Truck Charging and Fueling Corridor Project. As part of this award, ODOT will receive $21.1 million to support the development of two M/HD charging stations, as well as a single hydrogen refueling station. This funding opportunity provides $14,026,093 in CFI funds to support the development of two M/HD charging stations along Interstate 5 (I-5). The Grantee is responsible for providing a minimum match of 30% of the total award.

1.2 Overview

ODOT administers its federally funded electric vehicle charging infrastructure programs as competitive grant programs. ODOT requests responses to this NOFO in order to deploy publicly accessible electric vehicle supply equipment (EVSE) intended to serve M/HD vehicles along I-84 and I-5.

This NOFO supports the acquisition, installation, operation, and maintenance of DC Fast Charging (DCFC), AC Level 2, and Megawatt (MW) EVSE. Federal funds will cover up to 70% of eligible project costs, and Applicants will be required to cover a minimum of 30% of eligible project costs. All federal funds will be provided on a reimbursement basis.

This NOFO also includes information on the process by which competitive grant selections will be awarded, funding match levels and requirements, project eligibility, funding priorities, costs eligible for reimbursement, and other information that will help Applicants plan their project and apply for funding.

This NOFO does not compel ODOT to award a grant or complete the project, and ODOT reserves the right to cancel the solicitation if it is determined to be in its best interest. Applicants must adhere to all terms of this NOFO. All costs incurred responding to this NOFO will be borne by the Applicant.

1.3 Goals

ODOT's goal is to deploy the State's CRP and CFI funds to strategically support the development of reliable, convenient, and affordable M/HD-focused EVSE along I-84 and I-5. The EVSE will not be located on ODOT or state-owned right-of-way.

ODOT has established the following goals for this NOFO:

- Ensure federal funds deliver the greatest impact by supporting projects that enable practical use today and position Oregon for future M/HD electrification.
- Guarantee that charger installations, operations, maintenance, and ownership can be handled by an experienced Applicant team that is responsible for complying with all requirements attached to this funding.

1.4 Eligible Project Types

This NOFO supports a range of M/HD electrification projects – including depot-charging, en-route and corridor sites, and multi-user hub locations – that serve freight and goods movement as well as fleets such as transit buses, school buses, refuse trucks, drayage trucks, and other Commercial Motor Vehicles and fleets.

Charging stations must be located within five miles of the AFC and be designed and operated as *publicly accessible* charging facilities, according to the rules set forth in Title 23 CFR 680, meaning they are accessible 24/7/365 to the applicable customers as described below. ODOT recognizes that there is potential disconnect between the needs of M/HD vehicle operators, M/HD charging infrastructure service providers, and the requirement that the station funded by this NOFO must remain *publicly accessible*. To that end, the following types of projects are considered eligible:

- **Public Access:** Defined as an EV charging station that is open to the public without restriction.
- **Hybrid Access:** Defined as an EV charging station that meets the minimum requirements for publicly accessible charging infrastructure outlined in Title 23 CFR 680 *and* incorporates EV charging infrastructure that is limited to authorized Commercial Motor Vehicle Operators from more than one company.
- **Restricted Access:** Defined as an EV charging station that is open to authorized Commercial Motor Vehicle Operators from more than one company.

Applicants may propose including reservation systems, provided that the reservation system is available to more than one Commercial Motor Vehicle Operator.

For each of the above options, the Applicant is required to submit documentation demonstrating expected utilization of the federally funded M/HD charging infrastructure.

If the Applicant is proposing a Public Access station, the Applicant must include documentation demonstrating expected utilization of the charging station. This documentation should provide evidence that the proposed location is likely to serve multiple ZEV Commercial Motor Vehicle Operators and vehicle types without restricting access. Acceptable forms of documentation may include but are not limited to: market analyses, fleet surveys, freight or drayage studies, utility interconnection request, letters of intent from local jurisdictions, or other documentation demonstrating anticipated demand. Should this information be confidential or proprietary, refer to section 6.9. The utilization documentation should include examples of the following:

- A description of the methodology used to estimate expected utilization (e.g., freight studies, travel pattern analysis, fleet outreach)
- Identification of the primary types of vehicles and operations expected to use the site (e.g., drayage, transit, last mile, long-haul)
- Estimated number of vehicles expected to use the charging infrastructure
- Anticipated charging behavior (e.g., dwell time, peak usage periods, en-route vs depot-style use)
- A projection of how utilization is expected to grow over time

If the Applicant is proposing a Restricted Access or Hybrid Access station, the Applicant must include signed agreements or letters of intent from more than one ZEV Commercial Motor Vehicle Operator, attesting to their intended use of the station.

The signed agreement or letter of intent should include the following information:

- Legal name of the Commercial Motor Vehicle Operator
- Brief description of operations (e.g., drayage, transit, last mile, long-haul)

- Point of contact and signature from an authorized representative
- Vehicle classes and number of vehicles expected to use the site
- Intended use of the charging station (e.g., primary use, opportunity charging, emergency/backup) and expected utilization.
- A commitment to use the charging station for a minimum of five years, though 10 years is preferred.
- An acknowledgement that access to the site shall not be exclusive to any single Commercial Motor Vehicle Operator, per the publicly accessible requirement outlined in Title 23 CFR 680, and the CFI and CRP program rules.

2 Attachments and Reference Documents

2.1 Attachments

2.2 Reference Documents

- National Electric Vehicle Infrastructure Standards and Requirements
- Carbon Reduction Program Fact Sheet
- Charging and Fueling Infrastructure Program Fact Sheet

3 Eligibility

3.1 Eligible Applicants

Any incorporated entity, federally recognized Tribe, or local government entity (cities, counties, transit districts) is eligible to apply for funding under this NOFO, provided that no federal or state restriction prevents ODOT from awarding federal funds to the entity (e.g., federal or state debarment, suspension, or other disqualifying conditions). The primary Applicant will own the NEVI compliant charging station and be responsible for complying with all federal and state requirements outlined in the Agreement.

If the primary Applicant is not the entity that will ultimately provide operations and maintenance services and fulfill all data-reporting requirements under Title 23 CFR 680, ODOT may request copies of the service provider agreements between the primary Applicant and the Electric Vehicle Service Provider (EVSP) prior to execution of the Agreement, consistent with the documentation requirements described in Section 8.2.

Note: ODOT will enter into an Agreement with the primary applicant only, and reimbursement will be made only to the primary applicant. ODOT will not be party to any financial agreement between the primary applicant and its Applicant team.

3.2 Eligible Costs for Reimbursement

Grantees will be reimbursed for eligible costs according to the Cost Proposal Form (Attachment 3). Applicants may apply for grant funds for up to 80% of the eligible project costs, with a minimum required match of 30% to be provided by the Applicant. There are no State funds available for this project. Eligible costs are expenses deemed to be eligible by 23 Code of Federal Regulations (CFR) 680 and 2 CFR Part 200 Subpart E Cost Principles.

Eligible costs must be directly related to the operation of EVSE, meaning that an item must be a necessary component in the station's operations, be a necessary component to connect the EVSE to the electricity source (or to supply power from the electricity source), enable management of electricity demand or back-up availability (if applicable), provide eligible signage to direct EV drivers to the charging station, or provide information to EV users about use of the charging station. New public EVSE stations as well as upgrades to existing EVSE charging stations to make them NEVI-compliant are subject to these cost eligibility requirements.

Examples of eligible costs for reimbursement include:

- Costs for site preparation, permitting, and design.
- Pre-construction costs associated with environmental review and preliminary engineering.
- Costs to purchase, construct/install, test, and implement Charging Stations.
- Construction costs directly related to a Charging Station.
- Costs to construct Charging Stations that incorporate pull-through design.
- Costs for future proofing of Charging Stations limited to the installation of additional conduit and wiring for additional chargers capable of charging at power levels above 150kW (including conduit and wiring for megawatt charging).
- Costs to meet the data reporting requirements set forth in 23 CFR 680.
- Costs to acquire and install on-site electric service equipment (e.g., power meter, transformer, switch gear, conduit, and wiring).
- Costs of minor grid updates (e.g., extending power lines or upgrading existing power lines).
- Costs of charger hardware and software.
- Costs to repair, upgrade, and/or replace existing chargers to be NEVI-compliant.
- Costs to meet Americans with Disabilities Act of 1990 (ADA) requirements.
- Costs to install signage at site.
- Costs for site amenities (e.g., additional security lighting, video surveillance, resiliency features, 110/120 volt outlets for electric micromobility devices, canopy, or pull-through charging spaces). Note: Applicants seeking reimbursement for

resiliency features must demonstrate how these features will result in a lower cost to the consumer.

- Costs for workforce development activities, (e.g., Electric Vehicle Infrastructure Training Program (EVITP) certification).
- Costs for property lease and/or easements.
- Fixed operations and maintenance costs during the Period of Performance (e.g., service level agreements, charger warranty costs, cellular network fees, internet services fees, EVSE lease fees).
- Administrative and/or approved indirect costs.
- Electricity demand charges. Note: Demand charges may be subject to review and approval prior to reimbursement and may only be eligible in limited situations. In general, demand charges must:
    - Be directly attributable to the operation of federally funded EVSE;
    - Be incurred during the Period of Performance;
    - Be supported by documentation from the utility showing the rate structure and actual charges incurred;
    - Not be covered or offset by utility programs, incentives, or tariff structures;
    - Be accompanied by a justification demonstrating that the demand charges are unavoidable and that reasonable efforts have been made to mitigate them.
- Battery energy storage systems and/or other distributed energy resources
- Other costs listed in the cost proposal form that ODOT in its sole discretion deems eligible.

3.3 Ineligible Costs for Reimbursement

Ineligible expenses are costs deemed to be ineligible by 23 CFR Part 680 as well as other applicable federal, state, and local laws. Ineligible costs include, but are not limited to:

- Administrative costs to manage the program over the five-year O&M period.
- Costs not directly related to the charging of an electric vehicle, except as noted above.
- Purchase of real estate.
- Costs incurred prior to a fully executed grant agreement with ODOT.
- Costs for lobbying or for the intervention in state, federal regulatory, or adjudicatory proceedings.
- Costs for construction or general maintenance of building and parking facilities (if not directly related to vehicle charging).
- Costs for major grid upgrades (longer line extensions or upgrades, improvements to offsite power generation, bulk power transmission, or substations).
- Utility service upgrade costs covered by the utility.

- Costs covered by programs or tariff rules of the electric utilities.
- Costs for research projects.
- Variable operating and maintenance costs, including costs for electricity, insurance, and other recurrent business costs such as staffing.
- Unapproved Indirect costs.

3.4 Match Share:

The Grantee is required to provide at least a 30 percent contribution (Match Share) to the eligible project costs that are authorized by an agreement between the Grantee and ODOT.

- Project management costs are excluded from Match Share.
- Match Share expenditures must be documented, reasonable, allowable, and deemed appropriate to allocate to the project as determined by ODOT.

4 Project Requirements

4.1 Federal Project Requirements

Applicants should ensure their designs, equipment selection, operations, uptime commitments, payment options, data reporting, and network connectivity meet the minimum requirements outlined in Title 23 CFR 680.

Funding for any agreement resulting from this NOFO will be paid for by federal CRP or CFI funds, and no State funds will be used in support of these projects. The Grantee is responsible for adhering to all applicable requirements, including but not limited to applicable requirement of, Title 23 United States Code of regulations, 2 CFR Part 200, 23 CFR Part 680, the Davis-Bacon Act, FHWA Form 1273, 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. In addition to these requirements, the Grantee must comply with all other applicable standards and requirements that may be required by federal, state, and local laws.

Projects funded under any agreement resulting from this NOFO will be covered by the Build America, Buy America (BABA) Implementation Plan to Enhance Buy America for Electric Vehicle (EV) Chargers. Applicants are strongly encouraged to review the BABA rule prior to submitting their application.

Title 23 CFR 680 sets strict standards regarding the interoperability of electric vehicle charging infrastructure, charging network connectivity of electric vehicle charging infrastructure, data submittals, and information on publicly available electric vehicle charging infrastructure locations, pricing, real time availability, and accessibility through mapping.

Applicants are strongly encouraged to review the reference documents identified in section 2.2 of this NOFO prior to submitting their application.

4.2 ODOT Specific Requirements:

ODOT has developed its own set of minimum requirements for these charging stations. These requirements are in addition to the federal requirements outlined in section 4.1. These requirements were developed based on feedback received from RFIs, listening sessions, and conversations with industry stakeholders. The requirements allow for flexibility in station configuration to enable applicants to match the attributes of the charging station with the needs of the Commercial Motor Vehicle Operators most likely to use the stations.

Requirements:

1) **Capacity**
   - Each station shall provide at least 3 megawatts (MW) of nameplate capacity.
   - For expansion of existing sites, the project shall add a minimum of 3 MW of additional capacity.
2) **Chargers**
   - Each station shall include at least eight DCFC ports.
     - All DCFC ports shall deliver at least 150 kW; 350 kW or higher is preferred.
     - Four DCFC ports shall offer CCS (per title 23 CFR 680).
   - Beyond these eight DCFC ports, Applicants may propose their preferred configuration (MW, DCFC, Level 2), provided that configuration meets the 3 MW nameplate minimum requirement.
   - SAE J3400 (NACS) connectors may be included, but the station must always offer at least four CCS ports capable of 150kW simultaneous charging.
3) **MW-Ready Infrastructure**
   - Unless the Applicant is providing megawatt (MW) charging at time of application, sites shall include conduit, switchgear, wiring, and pad to support future installation of at least one MW charger.
4) **Location**
   - For the CRP funded charger on I-84, the proposed charging station shall be within five miles of the AFC.
   - For the CFI funded chargers on I-5, the proposed charging stations shall be within one mile of the AFC per CFI program rules.
5) **Utility Coordination**:
   - The Applicant shall work with the corresponding utility to complete the Utility Verification Form at the time of application.

5 Scope of Work and Deliverables

For detailed information, see Attachment 2, Scope of Work and Deliverables. Attachment 2 may be amended as necessary depending on the results of the pre-agreement risk assessment.

6 How to Apply

6.1 General Application Requirements

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

6.2 Application Contents

6.2.1 Cognito Application Form

Applicants must complete each section of the Cognito Application Form and provide all required information and documents for each proposed charging station site. The Cognito Application Form clearly indicates which information is required per proposed site. Links to information outside the Cognito application form will not be reviewed and resumes for key personnel must be uploaded to the form. Resumes shall be limited to two pages per resume. No more than three resumes are permitted per application.

6.2.2 Cost Proposal Form

Applicants must provide a completed Attachment 3 Cost Proposal Form for each proposed charging station site. An Applicant must enter the required information in the Cost Proposal Form and shall not change any formula written 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 3, the applicant must include the project costs for each cost item.

6.2.3 Site Host Letter of Commitment:

At time of application, Applicants should upload a letter of commitment from the Site Host. The letter must be signed by the Site Host and must clearly describe the nature of their authority, including whether the signer:

- Owns the property,
- Leases the property (and if so, whether landlord consent is required to serve as an EV charging site host at this location for the Period of Performance),

- Operates under a franchise agreement (and whether franchisor approval will be needed to serve as an EV charging site host at this location for the Period of Performance), or
- Holds any other rights or restrictions relevant to installing or operating EV charging infrastructure at that site for the Period of Performance.

The letter of commitment must also confirm that the Site Host:

- Supports the proposed project, and
- Intends to negotiate and execute a formal Site Host Agreement with the Applicant for the Period of Performance, if selected for funding.

Note: Only a letter of commitment is required at time of Application. For more detail on Site Host Agreements and proof of ownership required at time of execution of the Agreement, refer to section 8.2.

6.2.4 NEPA Readiness:

To ensure timely obligation of federal funds, ODOT must complete National Environmental Policy Act (NEPA) review no later than **August 13, 2027**, allowing funds to be obligated by **September 30, 2027**, before they expire. To support this requirement, ODOT will evaluate proposed project sites for "NEPA Readiness." This evaluation is intended to identify locations that are positioned to progress through NEPA review efficiently and with a lower likelihood of delays.

ODOT's NEPA program has identified seven site characteristics that commonly introduce complexity, require additional technical studies, or extend review timelines. Applicants should carefully consider these factors when selecting and describing proposed charger locations.

Projects will be assessed on whether the proposed EV charging installation involves any of the following:

1. Siting outside existing parking facilities or paved areas, including installation on previously undisturbed ground.
2. Electrical infrastructure modifications or utility improvements, such as new transmission lines or significant grid upgrades.
3. Trenching requirements that exceed previous levels of ground disturbance at the site.
4. A substantial increase in impervious surface area, defined as an increase greater than one acre.

5. Location within a historic district or in the immediate vicinity of a known historic resource or archaeologically sensitive area.
6. Siting within an area with a history of hazardous spills or a known hazardous materials site, especially when paired with new ground disturbance identified in Items 1, 3, or 4.
7. Modifications to existing stormwater drainage conveyance or management systems, including relocation of stormwater inlets.

Projects demonstrating fewer or none of the above conditions will generally be considered more "NEPA ready" and therefore more likely to support timely obligation of funds. Applicants are encouraged to provide clear, site-specific information addressing each criterion so ODOT can accurately assess NEPA readiness during the application review process.

6.2.5 Utility Readiness:

To support successful and timely deployment of M/HD charging infrastructure, proposed project sites must demonstrate a high likelihood of meeting the electrical capacity needs required for installation and long-term operation. Each site must be capable of ultimately providing a minimum of three (3) MW of nameplate charging capacity.

Given the requirement to obligate federal funds by August 2027, projects that rely on extensive upstream utility system upgrades—particularly substation-level or transmission-level improvements—pose increased schedule and cost risk and may receive lower readiness scores.

Required Utility Coordination Documentation

Applicants must complete and submit the provided Utility Coordination Form (Attachment 7) as part of the application. The form must be informed by coordination with the serving electric utility and include sufficient detail to allow ODOT to assess:

- Available electrical service capacity at or near the site
- Type and extent of required system upgrades
- Estimated upgrade costs (if known)
- Anticipated interconnection timeline
- Identification of any upstream system constraints

Supporting documentation (e.g., utility correspondence, preliminary load studies, hosting capacity map excerpts, cost estimates, or written utility confirmation) should be

included where available. Applications lacking meaningful utility coordination may receive lower readiness scores.

Evaluation Criteria

ODOT will evaluate Utility Readiness based on the extent to which the proposed site can support, or be readily upgraded to support, a 3 MW nameplate charging load without creating significant schedule, cost, or delivery risk.

In assessing readiness, ODOT will consider:

1. Existing electrical service capacity and proximity to suitable distribution infrastructure
2. Nature and scale of required utility upgrades
3. Presence of distribution or substation constraints
4. Interconnection study status and estimated timelines
5. Certainty of upgrade costs and scope of utility installation
6. Site configuration and physical space for required utility equipment
7. Ability to phase deployment while maintaining a clear path to 3 MW nameplate capacity (if not part of initial deployment).

Tiered Utility Readiness Scoring

Utility Readiness will be evaluated using a tiered framework:

High Utility Readiness

Projects in this tier demonstrate:

- Completed Utility Coordination Form and documented engagement with the serving utility
- Immediate access to 3 MW of nameplate charging capacity upon completion of minor or localized distribution-level upgrades
- No requirement for substation-level or transmission-level upgrades
- Interconnection timelines consistent with federal obligation requirements
- Reasonable cost certainty for required utility work

These projects present minimal schedule and infrastructure risk.

Moderate Utility Readiness

Projects in this tier demonstrate:

- Completed Utility Coordination Form and documented engagement with the serving utility
- Initial access to at least 1.5 MW of nameplate capacity
- A clear and feasible pathway to scale to 3 MW of nameplate charging capacity within five (5) years
- Distribution-level upgrades that may extend beyond minor modifications but do not clearly require major upstream system expansion
- Manageable interconnection timelines, though some uncertainty remains

These projects may require phased deployment but demonstrate a credible path to achieving 3 MW capacity within a reasonable timeframe.

Low Utility Readiness

Projects in this tier demonstrate one or more of the following:

- Requirement for significant upstream system upgrades, including feeder rebuilds over substantial distances, substation expansion, or transmission-level improvements
- Interconnection timelines that are uncertain or inconsistent with program delivery requirements
- Lack of meaningful utility coordination or insufficient documentation
- Substantial cost uncertainty related to utility infrastructure

These projects present elevated schedule and delivery risk and may receive lower scores.

6.2.6 Affidavit of Non-Collusion

Applicants must complete the attached "Affidavit of Non-Collusion" and submit it as part of the application. This shall be uploaded to the NEVI Cognito Application Portal.

6.2.7 Conflicts of Interest

Applicants must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this NOFO. This list should indicate the name of the entity, the relationship, and a discussion

of the conflict. Applicants must complete Attachment 6, Conflict of Interest Checklist and Disclosure Form, and upload it to the NEVI Cognito Application Portal.

6.3 Application Timeline

The timeline below outlines the activities and corresponding dates that all Applicants must meet. ODOT may update this timeline and will notify participants by posting an addendum on its M/HD Webpage. It is the Applicant's responsibility to check for such updates.

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

ACTIVITY	DATE	TIME	DETAILS
DRAFT NOFO Advertisement	3/27/2026	5:00 PM PDT	ODOT M/HD Webpage and by email
Webinar & Listening Session	4/22/2026	11:00 AM PDT	Register Here
Questions & Comments Due	5/15/2026	5:00 PM PDT	Email to MHDZEV@odot.oregon.gov
Answers Posted	June 2026 (anticipated)	5:00 PM PST	ODOT M/HD Webpage
NOFO Live for Applications	June 2026 (anticipated)	5:00 PM PST	ODOT M/HD Webpage
Applications Due	August 2026 (anticipated)	5:00 PM PDT	ODOT M/HD Webpage
Awards announced	September 2026 (anticipated)	5:00 PM PDT	ODOT M/HD Webpage

6.4 Questions

Applicants who have any questions regarding this NOFO must submit questions by e-mail only to the Grant Administrator(s):

Contact: Brett Howell, Transportation Electrification Coordinator

Email: MHDZEV@odot.oregon.gov

Questions should include the following information.

- Document Name
- Document Section Number
- Document Page Number
- Question

All questions and answers will be posted on the ODOT M/HD Webpage. All Applicants will be responsible for checking the web page for any updates to this NOFO and any questions that have been answered.

No other ODOT personnel are allowed to discuss the NOFO before the proposal submission deadline. If this should change, ODOT will clearly communicate the change via email.

ODOT reserves the right to amend this NOFO at any time. If the amendment is issued after the closing date for receipt of applications, ODOT may, in its sole discretion, allow Applicants to amend their project applications in response to the amendment, if necessary. All amendments will be posted to the ODOT M/HD webpage.

Any person requiring this NOFO document in an alternative format (such as braille, large print, or in a different language) can receive it at no cost. Please email your request to brett.howell@odot.oregon.gov.

Any person requiring a special accommodation due to a disability should contact ODOT by email at brett.howell@odot.oregon.gov for assistance with this NOFO at least 5 business days prior to the activity or action for which assistance is needed.

6.5 Application Submittal

All applications must be submitted electronically through ODOT's Cognito application portal on its M/HD webpage. Applications are to be submitted by TBD.

All applicants must submit a current Oregon Secretary of State Business Registry number.

6.6 Application Amendment or Withdrawal

If an applicant wants to withdraw or amend an application, they must email the Grant Administrator as outlined in Section 6.4, Questions.

6.7 ODOT Discretion

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

addition, ODOT reserves the right to fully or partially fund the Applicant's proposed project to better accommodate the financial constraints of the program.

6.8 Disqualification of Applications

ODOT may exercise its discretion to reject or not evaluate an application for any reason, including without limitation:

- The Applicant fails to submit the application by the due date and time.
- The Applicant acknowledges that a requirement of the application cannot be met.
- The Applicant fails to satisfy a requirement of this NOFO, or the application is not compliant with the requirements of this NOFO.
- The application limits the rights of ODOT.
- The Applicant fails to include an authorized signature.
- The Applicant presents the information requested by this NOFO in a format inconsistent with the instructions of the NOFO or otherwise fails to comply with the requirements of the NOFO, 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 ODOT that the Applicant is properly qualified to meet the requirements of this NOFO or the application.
- The proposed project is not in compliance with the applicable state or federal statutes or rules

6.9 Process for Clarification of Application Information

ODOT reserves the right to contact an Applicant after the submission of an application for the purpose of clarifying the application to ensure mutual understanding. ODOT 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.

All applications become ODOT 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. NOTE: ODOT received several public records requests related to Round 1 of the NEVI program.

The Applicant agrees that ODOT may copy the applications for purposes of facilitating the evaluation of the application or to respond to requests for public records. By applying, the

Applicant consents to such copying and warrants that such copying will not violate the rights of any third party.

If the Applicant submits information in its response to this NOFO that the Applicant considers as constituting trade secrets under either ORS 192.345(2) or confidential, proprietary information, or "sensitive business, commercial or financial information" under ORS 367.804(6), and Applicant wishes to protect such information from disclosure either (a) to other Applicants during the grant process or (b) to the public as a public record, Applicant must designate such information in the text of the application by including it within brackets and by including at the bottom of the application page on which they appear with the applicable identifying legend(s):

- This page contains information that constitutes a trade secret under ORS 192.345(2) and is not to be disclosed except in accordance with applicable law.
- This page contains confidential, proprietary information and is not to be disclosed except in accordance with applicable law.
- This page contains Sensitive Business, Commercial or Financial Information and is not to be disclosed except in accordance with applicable law.

The Applicant shall also submit a fully redacted version of its application, clearly identified as the redacted version, redacting such information that the Applicant considers as constituting "trade secrets" or "confidential, proprietary information", or "Sensitive Business, Commercial, or Financial Information".

7 Evaluation of Applications

7.1 Evaluation Process

ODOT will use the following process to evaluate applications.

7.1.1 Responsiveness Check

All applications will be reviewed for responsiveness (Responsiveness Check) to confirm the application meets the NOFO requirements. The Responsiveness Check is a pass/fail assessment which includes confirming the Applicant has submitted all materials required for an application. At this stage, ODOT may request corrected documentation in the case of an incorrect document upload. Applications that fail the Responsiveness Check will be determined to be non-responsive and will not be evaluated further.

7.1.2 Scoring Criteria and Evaluation

To evaluate applications, ODOT will establish a Review Committee made up of no less than three members. Applications that pass the Responsiveness Check will be evaluated and scored individually by each Review Committee member on a competitive basis according to the scoring criteria and point maximums provided in the table below.

Evaluation will consider the qualifications and capabilities of the Applicant and its full proposed project team.

Scoring Criteria	Maximum Points Possible: **150**
1.0 Project Team Qualifications and Experience	**35**
1.1: Applicant team and organization Describe the Applicant team and your organization's experience via the Cognito Application Form.	**10**
1.2: Experience with Federal Requirements Indicate the Applicant team's level of experience complying with the federal requirements outlined in the Cognito Application Form.	**10**
1.3: Prior experience with 50kW or higher EVSE Provide prior EVSE experience and performance metrics as directed in the Cognito Application Form • 5 Points for 11+ projects • 3 Points for 5-10 projects • 1 Point for 1-4 projects • 0 points for no projects listed **Note:** For the purpose of scoring prior EVSE experience, a *project* is defined as a single, discrete EV charging site at which the Applicant team planned, permitted, constructed, installed, and placed into operation one or more DC fast charging units (50kW or higher).	**5**
1.4: Past EVSE reliability Provide prior EVSE system performance per the Cognito Application Form. • 5 points for 97%+ • 3 points for 93-96% • 1 points for 85%-93% • 0 points for below 85% or no prior experience	**5**
1.5: Schedule Management Describe the Applicant Team's approach to managing the project schedule. Applicants must include a draft schedule that provides an estimated timeline for each phase of the project as outlined in the Scope of Work.	**5**
2.0 Understanding of Requested Services	**25**
2.1: Operations and maintenance Describe the Applicant team's O&M Plan including at a minimum:	**15**

• Plan to achieve uptime of 97% or greater • Plan for establishing pricing structures (including approach to setting, updating, and displaying prices) • Plan for managing utility costs, including strategies for minimizing or mitigating demand charges • Customer service plans • Planned response times for minor and major outages • Plan for addressing weather-related events (e.g., snow removal, wildfires). • Plan for continued operation of the charging infrastructure beyond the Period of Performance	
2.2: Approach to safety Describe the Applicant team's approach to safety including: • Physical safety plan that addresses safety for EV charging station users (e.g., fire prevention, safety lighting, emergency call boxes, video surveillance).	**4**
2.3: Cybersecurity and Data Management Describe the Applicant Team's approach to cybersecurity including at a minimum: • protection measures for data storage, management, transactions, and transmittals.	**3**
2.4: ADA Accessibility standards: Describe the Applicant team's approach to ensuring compliance with the applicable provisions of the Americans with Disabilities Act (ADA) and how you plan to incorporate the U.S. Access Board's Design Recommendations for Accessible Electric Vehicle Charging Stations.	**3**
3.0 Project Readiness	**60**
3.1: NEPA Readiness: Applications indicating that the proposed project does not trigger any of the NEPA-risk factor conditions listed in section 6.2.4 will receive the highest score under this criterion and be considered highly "NEPA ready" and more likely to support the timely completion of environmental review.	**20**

3.2: Utility Readiness: Applicants may earn up to 15 points according to the conditions listed in section 6.2.5 according to the following schedule: • High readiness: 20 points • Moderate readiness: 10 points • Low readiness: 3 points	**20**
3.8: Expected Utilization: Applicant provides evidence of expected utilization, signed agreements, or letters of commitment from more than one commercial motor vehicle operator which includes the information outlined in section 1.4. **Restricted Access and Hybrid Access:** • Signed Agreements from two or more commercial motor vehicle operators: 20 points • Letters of commitment from two or more commercial motor vehicle operators: 10 points • No signed agreements or letters of commitment: 0 points **Public Access Projects:** • The Applicant demonstrates a high likelihood of utilization according to the criteria outlined in section 1.4 for Public Access Projects (e.g., letters of support from multiple ZEV Commercial Motor Vehicle Operators): 20 points • The Applicant demonstrates a moderate likelihood of utilization according to the criteria outlined in section (e.g., letters of support for the project, data demonstrating that utilization is expected to grow over time): 10 points • Insufficient documentation and a low likelihood of utilization: 0 points	**20**
4.0 Future Proofing, Innovation, and Resiliency	**10**
4.1: Proposed charging stations include Battery Energy Storage System: To support grid resiliency, charging stations that include Battery Energy Storage or Battery Energy Storage with On-Site Renewable Energy may receive up to five points.	**10**
5.0 Value Added Items	**20**

5.1: Contributing above the required minimum match of 30% of the total project cost by: • 25% or more (10 points) • 10%-24% (7 points) • 5%-9% (3 points)	**10**
5.2: Providing Additional NACS (SAE J3400) charging ports capable of charging at 150kW (or more) beyond the minimum requirement of four CCS Ports. • Four or more (10 points) • Three (7 points) • Two (4 points) • One (1 points)	**10**

7.1.3 Score Tabulation

The maximum final score for any application is 150 points per proposed site. The Review Committee will make all award recommendations. The Program Manager will draft a report summarizing the Review Committee's recommendations and submit the report to the Climate Office Director for review prior to notifying Applicants. In the unlikely event that two applications receive the same score, the tiebreaker will be the Applicant with the lowest cost proposal.

7.1.4 Award

ODOT will notify the successful Applicant via email and will post the Notice of Intent to Award on our M/HD Webpage. The Notice of Intent to Award is conditional and subject to further review and execution of a Grant agreement.

8 Post Award

8.1 Pre-Agreement Activities

The Applicant shall participate in the following pre-agreement activities after the Notice of Intent to Award has been provided to the Applicant.

8.1.1 Pre-Agreement Risk Assessment

The Applicant must work with the Grant Administrator to complete a pre-agreement risk assessment prior to executing the Agreement. This includes, but is not limited to, the Applicant team's experience managing federally funded grants, legal assessment and status, accounting systems and internal controls, financial assessment, and monitoring/audit findings. Risk assessments are valid for 12 months, so repeat Grantees do not require an additional risk assessment if one has been performed within the last 12 months. The program manager will use the results of the pre-award risk assessment to

determine the appropriate level of monitoring. Any additional monitoring requirements will be added to the Scope of Work and Deliverables before execution of the Agreement.

8.1.2 Financial Review Documents

ODOT may require that a Grantee undergo a financial review when a grant award is made of $25,000 or more. This financial review may include a review of IRS forms, or certified financial audits.

8.2 Execution of Agreement

After the pre-agreement activities have been completed, the Program Manager will send the Agreement to the Applicant. The Applicant shall sign the Agreement within 60 calendar days of receipt. At the time of execution, the Applicant shall provide the following documents, as applicable:

- **Signed Site Host Agreement(s)**
    - The Site Host Agreement shall ensure that the Site Host grants ODOT, FHWA, their employees, agents, representatives, and contractors, subject to the Agreement and ODOT's supervision, a right to enter any and all parts of any site upon which funded EVSE is located, at any time without notice, to observe, inspect, photograph, or otherwise document the EVSE. The Applicant shall ensure that the Site Host Agreement and other agreements and instruments include clauses that permit ODOT to enter to the full extent required by the Agreement.
- **Property Ownership or Authorization Documentation**
    - If the Applicant is also the Site Host and owns the proposed location(s), the Applicant must provide **proof of site ownership** for each proposed location (e.g., deed, tax record, or other legally recognized documentation).
    - If the Applicant is the Site Host but **leases** the property/properties, the Applicant must provide **written authorization from the property owner** expressly permitting the installation, operation, and maintenance of EV charging infrastructure for the full Period of Performance for each proposed site. This authorization must include permission to meet all program requirements, including access, construction, operation, data reporting, and maintenance activities.
    - For franchised locations, the Applicant must identify whether the franchisee, franchisor, or another entity holds the underlying property rights or approval authority for site improvements for each proposed site. If franchisor consent

is required under the franchise agreement—or if the franchisor owns the property, controls site standards, or imposes restrictions on site modification—the Applicant must provide written documentation demonstrating that all necessary approvals for EV charging installation and long-term operation and maintenance have been granted for each proposed site.

- **Service Provider Agreements**
    - If the Applicant is the Site Host and is the direct recipient of federal funds, ODOT may request a copy of the contract(s) between the Site Host and the selected Electric Vehicle Service Provider (EVSP), or other subcontractor(s) responsible for installation, operation and maintenance, and data reporting. This contract must clearly demonstrate a commitment to operate and maintain the charging infrastructure, provide required customer support, and conduct all required data reporting for the full Period of Performance.
- **Proof of Registration to Conduct Business in Oregon**
    - The Applicant must provide proof of active registration with the Oregon Secretary of State to conduct business in Oregon.
- **Any Additional Certificates or Documents Deemed Necessary by ODOT**
    - ODOT reserves the right to request additional documentation necessary to confirm compliance with program requirements, federal regulations, or state law.

Once the Applicant has provided the required documents outlined above, ODOT and the Applicant will sign the Agreement, and the project will be considered obligated and having commenced. If the Applicant does not sign the Agreement and provide the required documents in a timely manner, ODOT may rescind the award.

NOTE: the Applicant cannot incur or agree to the payment of any costs to be requested for reimbursement prior to the Effective Date (see Sample Grant Agreement).

9 Post Award

9.1 Reimbursement Mechanism

This funding opportunity will follow a three-phase reimbursement structure which incorporates a Notice to Proceed, as outlined below. Reimbursements will be contingent upon the successful and documented completion of each project phase, as described in

sections 9.1.1 through 9.1.3, and upon the Grantee's submission of all required deliverables for each phase, as specified in Attachment 2 to this NOFO.

9.1.1 Preliminary Engineering (Phases 1A and 1B)

Phase 1A: NEPA Readiness

Reimbursement will be issued upon ODOT's confirmation that the Grantee has submitted all required documentation to support NEPA review and that NEPA clearance has been granted. No activities that could constitute a federal action (e.g., permitting, final design, utility agreements, construction, installation, commissioning) may occur prior to NEPA approval. Upon successful and documented completion of Phase 1A, ODOT will issue a Notice to Proceed to Phase 1B.

The Reimbursement Amount will be equal to the total identified by the Grantee for NEPA Readiness in Attachment 3, after accounting for the required match.

Phase 1B: Preliminary Engineering

Reimbursement for Preliminary Engineering (PE) will be issued upon ODOT's verification that all Phase 1B tasks, as outlined in Attachment 2, have been successfully completed. The reimbursement amount will be equal to the total identified by the Grantee for PE in Attachment 3, after accounting for the required match.

PE reimbursement is contingent upon the submission of all required deliverables outlined in Phase One of the Scope of Work.

Upon the successful and documented completion of Phase 1B, ODOT will issue a Notice to Proceed to Phase Two.

9.1.2 Construction and Commissioning

Reimbursement for Construction and Commissioning will be issued upon ODOT's verification that all Phase Two tasks, as outlined in Attachment 2, have been successfully completed, and that the site is fully installed, operable, and ready for public use. The reimbursement amount will be equal to the total identified by the Grantee in Attachment 3 for Construction, after accounting for the required match.

Construction reimbursement is contingent upon submission of all required deliverables in Phase Two of the Scope of Work.

Upon the successful and documented completion of Phase Two, ODOT will issue a Notice to Proceed to Phase Three, which begins the Period of Performance.

9.1.3 Operation and Maintenance Payments and Withholding

Reimbursement requests for Operation and Maintenance will be made annually, no later than the last Friday in March for the prior calendar year, over the Period of Performance. Each annual reimbursement will be equal to one-fifth (1/5) of the total operations and maintenance amount identified by the Grantee in Attachment 3, after accounting for the required match.

Annual operations and maintenance payments are contingent upon compliance with the uptime requirements in 23 CFR 680.116 and will be subject to a penalty based on the number of ports that fail to meet the 97% average annual uptime threshold in the prior calendar year. 10% of the annual O&M reimbursement amount will be withheld for each non-compliant port, up to a maximum of 40%, according to the following schedule:

- 1 port fails to meet the 97% uptime requirement: 10%
- 2 ports fail to meet the 97% uptime requirement: 20%
- 3 ports fail to meet the 97% uptime requirement: 30%
- 4 ports fail to meet the 97% uptime requirement: 40%

ODOT reserves the right to request documentation of uptime data and to withhold or adjust payments if sufficient performance data is not submitted in compliance with the requirements outlined in 23 CFR 680.112.

9.1.4 Final Payment and Release of Withholdings

Cost reimbursement may be invoiced for the final year of O&M costs as detailed in phase three of Attachment 2. Supporting documentation of actual costs incurred is required. ODOT will only pay up to the Maximum Total Project Reimbursement detailed in the Cost Proposal Form during the application process, and all costs will be finalized in the final Agreement.

10 Reservation of Rights:

ODOT reserves all rights regarding this NOFO, including, but not limited to, the right to:

- Amend or cancel this NOFO without liability if it is in the best interest of ODOT to do so.
- Waive any minor non-conformance with the provisions or procedures of this NOFO.
- Amend or extend the term of any grant agreement that is issued as a result of this NOFO.
- Reject any application or withdraw any intent to award upon finding that to accept the application or make the award may impair the integrity of the solicitation process or that such rejection or withdrawal is in the best interest of ODOT.

- Verify any information or endorsements included in the application to ensure accuracy.

Appendix A: Definitions and Acronyms

Alternative Fuel Corridor (AFC): National EV charging and hydrogen, propane, and natural gas fueling corridors designated by FHWA.

Applicant: The eligible entity who has signed and is submitting the signed application response and who will be responsible, if subsequently identified as the grantee, to ensure proper

performance of the agreement if awarded. The Applicant must also own the federally funded charging infrastructure for the full term of the Agreement.

Bipartisan Infrastructure Law: A public investment of $350 billion in highway programs, including directing states to establish a nationwide network of 500,000 charging stations by 2030.

Class 2b Vehicle: are vehicles with a gross vehicle weight rating (GVWR) ranging from 8,501 to 10,000 pounds.

Charger: A device with one or more charging ports and connectors for charging EVs. Also referred to as Electric Vehicle Supply Equipment (EVSE).

Charging Network: A collection of chargers located on one or more properties that are connected via digital communications to manage the facilitation of payment, electrical charging, and transfer data requests.

Charging Network Provider: The entity that operates the digital communication network that remotely manages the chargers. Charging network providers may also serve as charging station operators and/or be the manufacturer of chargers.

Charging Port: The system within a charger that charges one EV. A charging port may have multiple connectors, but it can provide power to charge only one EV through one connector at a time.

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

Combined Charging System (CCS): A standard connector interface that allows Direct Current Fast Chargers to connect to, communicate with, and charge EVs.

Commercial Motor Vehicle: A motor vehicle (class 2B and above) designed or regularly used to carry freight, merchandise, or more than ten passengers, whether loaded or empty, including buses, but not including vehicles used for vanpools, or recreational vehicles operating under their own power.

Commercial Motor Vehicle Operator: An entity that operates a Commercial Motor Vehicle as defined in this NOFO.

Commissioning: Testing to ensure that all systems are safe and functional prior to the initiation of public EV charger operation, typically performed by a certified engineer. Commissioning includes but is not limited to the obtaining of necessary permits and certifications, the physical

installation of the chargers, the connection to the electrical grid, testing of the electrical connections, verification of functionality, and compliance with all relevant codes and standards, and demonstration that the EVSE is operable and ready for public use.

Connector: The device that attaches an EV to a charging port to transfer electricity.

Direct Current Fast Charging (DCFC): A charger that enables rapid charging by delivering direct-current (DC) electricity directly to an EV's battery.

Electric Vehicle (EV): A motor vehicle that is either partially or fully powered on electric power received from an external power source. For the purposes of the CFI and CRP programs, this definition does not include golf carts, electric bicycles, or other micromobility devices.

Electric Vehicle Infrastructure Training Program (EVITP): A comprehensive training program for the installation of electric vehicle supply equipment.

Electric Vehicle Charging Analytics and Reporting Tool (EV-ChART): A database created by the Joint Office of Energy and Transportation to facilitate the standardization and collection of the data submittals required under 23 CFR 680.112.

Electric Vehicle Service Provider (EVSP): The entity responsible for operation and maintenance of one or more networked or non-networked charging stations.

Electric Vehicle Supply Equipment: See Charger.

Grantee: The Applicant who, upon awarding of a contract and execution of the Grant Agreement, will be responsible for managing the awarded contract and the party to whom payment will be made.

Grant Agreement: The agreement between the grantee and the Oregon Department of Transportation.

Match Share: The Grantee's required contribution to the total eligible project cost which shall be a minimum of 30%.

National Electric Vehicle Infrastructure Program (NEVI): Provides formula funding to states for the construction of Charging Stations and the installation, operation, and maintenance of DCFC Chargers that are reliable, convenient, affordable, and equitable.

NEVI Compliant: Electric vehicle supply equipment meeting all minimum standards and requirements for the NEVI program outlined in Title 23 CFR Part 680.

North American Charging Standard (NACS/SAE J3400): A type of protocol for a charging connector interface between an EV and a charger. It specifies the physical, electrical, and communication requirements of the connector and mating vehicle inlet for direct-current (DC)

fast charging. The North American Charging Standard is now standardized as SAE J3400. It has commonly been referred to as the Tesla connector.

Notice to Proceed: Written authorization to the Grantee to proceed with the work in the Agreement. ODOT will issue a Notice to Proceed for each phase of the project outlined in the Scope of Work upon successful and documented completion of each project phase. Any work done prior to the Effective Date of the Agreement and Notice to Proceed will not be reimbursed.

Open Charge Point Interface (OCPI): An open-source communication protocol that governs the communication among multiple charging networks, other communication networks, and software applications to provide information and services for EV drivers.

Open Charge Point Protocol (OCPP): An open-source communication protocol that governs the communication between chargers and the charging networks that remotely manage the chargers.

Operations and Maintenance (O&M): The five-year period beginning immediately after the commissioning of an EV Charging Station, when the station is open for operation and will need to be maintained.

Period of Performance: The length of time during which the Grantee is obligated to provide operations and maintenance services for the Charging Station. The Period of Performance for the Agreement is 5 years or 60 months. The Period of Performance begins with Notice to Proceed to Task 3 as identified in the Scope of Work.

Plug and Charge: A method of initiating charging, whereby an EV charging customer plugs a connector into their vehicle and their identity is authenticated through digital certificates defined by ISO-15118, a charging session initiates, and a payment is transacted automatically, without any other customer actions required at the point of use.

Power Sharing: The process of dynamically limiting the charging power output of individual charging ports at a charging station to ensure that the sum total power output to all EVs concurrently charging remains below a maximum power threshold. This is also called automated load management.

Site Host Agreement: A legal contract between the owner of the real property (Site) and the Grantee that makes the site available to the Grantee for the entire length of the Agreement for the purpose of constructing, installing, operating, and maintaining an EV charging station in accordance with 23 CFR 680 and all applicable laws and regulations and describes the legal obligations of each party.

Site Host: The individual, business, government, tribe, or other entity that owns, leases, or otherwise has legal authority and control over the location where NEVI-compliant electric

vehicle charging infrastructure will be constructed, installed, operated, and maintained. The Site Host may be the Applicant. The Site Host must have, or have the authority to grant the Applicant, all necessary rights—such as site access, construction rights, utility coordination access, and long-term operational rights—to support the full term of the NEVI project over the Period of Performance and comply with all applicable federal and state requirements.