

Notice of Funding Opportunity
Oregon National Electric Vehicle Infrastructure Program
Round Two
Oregon Department of Transportation

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1 Introduction

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 [National Electric Vehicle Infrastructure \(NEVI\) Formula Program](#). The NEVI Formula Program provides \$5 billion in funding to construct an electric vehicle charging network nationwide that is reliable, convenient, affordable, and equitable. The State of Oregon expects to receive \$52 million in formula funds in total over federal fiscal years 2022-2026. As of the publishing of this Notice of Funding Opportunity (NOFO), the Oregon Department of Transportation (ODOT or Agency) has obligated (secured) all funding required to fulfill the Projects as outlined in section 1.4.

In June 2024, ODOT launched Round 1 of the NEVI program and awards were made in October of that year. For more information on Round 1, please visit ODOT's [NEVI website](#).

1.2 Overview

ODOT administers its allotment of NEVI formula funds through a competitive grant program. ODOT requests responses to this NOFO in order to deploy NEVI-compliant electric vehicle supply equipment (EVSE) across the state. The NOFO published under this competitive selection provides available funding for new EVSE sites and updates to existing EVSE sites along the following vehicle Alternative Fuel Corridors (AFCs):

- Interstate 84 (I-84)
- U.S. Highway 26 (U.S. 26)
- U.S. Highway 20 (U.S. 20)
- U.S. Highway 101 (U.S. 101)
- U.S. Highway 97 (U.S. 97)

Applicants may apply for funding for one corridor or for all corridors. While ODOT prefers to select a single applicant to develop the full corridor, ODOT reserves the right to make a partial award if necessary to fulfill the requirements set forth in Title 23 CFR 680 and in the NEVI Formula Program Guidance provided by Federal Highway Administration (FHWA). More information on partial awards is provided in section 1.4.

ODOT's goal is to deploy the State's NEVI formula funds to strategically support the development of reliable, convenient, and affordable EVSE. The EVSE will not be located on ODOT or state-owned right-of-way.

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 supports the acquisition, installation, operation, and maintenance of direct-current fast-charging (DCFC) infrastructure. Federal funds will cover up to 80% of eligible project costs, and Applicants will be required to cover a minimum of 20% of eligible project costs. All federal funds will be provided on a reimbursement basis.

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

The goal of this NOFO is to implement federal funding along Interstate 84, U.S. Highway 20, U.S. Highway 26, U.S. Highway 97, and U.S. Highway 101. ODOT has established the following goals for this NOFO:

- Maximize the impact of federal funding.
- Maximize benefit to EV drivers in Oregon by incentivizing innovation, future proofing, and resiliency.
- Use a best-value approach to evaluation.
- 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 Corridors

This NOFO announces the availability of federal funding to support the development of publicly accessible EV charging infrastructure along five designated AFCs within the state. Under this single NOFO, eligible applicants may apply for funding to develop charging stations along Interstate 84 (I-84), U.S. Highway 20 (U.S. 20), and U.S. Highway 26 (U.S. 26), U.S. Highway 97 (U.S. 97), and U.S. Highway 101 (U.S. 101).

Each corridor is considered a separate and distinct funding opportunity under this NOFO, and applicants may choose to apply for funding for one or more of the eligible corridors. Applications containing cost proposals which exceed the available funding per corridor will be disqualified from consideration. The funding goals and maximum available federal funding for each corridor are as follows:

- U.S. 20:
 - Available funding: \$7,326,550
 - Seeking at least nine NEVI compliant DC fast charging stations
 - Total points available for full corridor proposal: 1,350
- U.S. 26:
 - Available Funding: \$7,326,550
 - Seeking at least nine NEVI compliant DC fast charging stations
 - Total points available for full corridor proposal: 1,350
- I-84:
 - Available funding: \$5,626,549
 - Seeking at least seven NEVI compliant DC fast charging stations
 - Total points available for full corridor proposal: 1,050
- U.S. 101:
 - Available Funding: \$5,106,550
 - Seeking at least seven NEVI compliant DC fast charging stations
 - Total points available for full corridor proposal: 1,050
- U.S. 97:
 - Available Funding: \$6,927,300
 - Seeking at least eight NEVI compliant DC fast charging stations
 - Total points available for full corridor proposal: 1,200

To ensure the complete buildout of charging infrastructure along each designated corridor, this NOFO will give priority to applications that propose charging stations at all identified locations along a corridor.

In practice, this means that ODOT will first evaluate proposals that seek to complete the entire corridor buildout. If there are no full-corridor proposals, or if no full-corridor proposal receives a minimum score of 85% of the total points available for the corridor, ODOT will then evaluate all remaining eligible applications and reserves the right to make complete or partial awards to the highest-scoring applicant(s) to best achieve full corridor coverage. The total number of points available for the corridor is calculated by multiplying the maximum points available per station by the total number of stations ODOT is seeking to develop.

Where applications for partial corridors are submitted, each proposed station location will be scored individually. ODOT will evaluate the scores of individual sites across all applications submitted for the corridor and may award sites in a configuration that best achieves optimal corridor development.

The total number of points available for the corridor is calculated by multiplying the maximum points available per station by the total number of stations ODOT is seeking to develop.

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

1.5 Changes From Round 1

We have made several changes to the program since Round 1, including:

- **Removing the prequalification step:** We removed a prequalification requirement for applicants to encourage a larger applicant pool.
- **New proposal option:** We added the option for Applicants to propose individual charging stations along the corridor, rather than requiring applicants to propose to construct all stations along the corridor. Further details are provided in Section 4.2.
- **More flexibility in station locations:** Earlier this year, the federal government removed the requirement for NEVI stations to be located 50 miles apart and within one mile of the corridor. This change will give Applicants more flexibility on where to locate the final stations to best serve EV drivers. Federal and ODOT specific application requirements are detailed in section 4.
- **Expansion of the Eligible Applicant criteria:** In Round 1, eligibility was restricted to Applicants that would directly own, operate, and maintain the NEVI compliant charging infrastructure. In Round 2, ODOT is expanding eligibility to include any incorporated entity or federally recognized Tribe, unless restricted by state or federal requirement. Further details are provided in section 3.1.

2 Attachments and Reference Documents

2.1 Attachments

- Attachment 1 – Technical Specifications and Requirements for Operation
- Attachment 2 – Scope of Work and Deliverables
- Attachment 3 – Cost Proposal Form
- Attachment 4 – Draft Agreement
- Attachment 5 – Federal Highway Administration (FHWA) Form 1273
- Attachment 6 – Conflict of Interest and Disclosure Form
- Attachment 7 – ODOT Affidavit of Non-Collusion

2.2 Reference Documents

- [National Electric Vehicle Infrastructure Standards and Requirements](#)
- [FHWA NEVI Formula Program Guidance](#)

- [ODOT's NEVI Program Website](#)

3 Eligibility

3.1 Eligible Applicants

Any incorporated entity or federally recognized Tribe is eligible to receive NEVI funding, 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.

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 20% 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.
- Costs for installing 110/120-volt outlets on/adjacent to DCFC EVSE for use by electric micromobility devices.
- 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 for up to five years after the charging station is commissioned (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 NEVI-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, provided that the Applicant demonstrates that their inclusion will result in a lower cost to the consumer.

- Other costs listed in the cost proposal form that ODOT in its sole discretion deems eligible.

3.3 Ineligible Costs for Reimbursement

Ineligible costs are expenses 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).
- Level 2 EVSE.
- 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 20 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

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

Funding for any agreement resulting from this NOFO will be paid from NEVI formula funds. 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.](#)

The NEVI program 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 Project Requirements:

Under previous FHWA NEVI Formula Program requirements, charging stations funded through the NEVI Formula Program were required to be: (1) No more than 50 miles apart along designated AFCs; (2) Located within 1 mile of an interstate or highway exit or intersection, and (3) Within 25 miles of a state border for terminal stations (hereafter “previous NEVI requirements”).

On August 11, 2025, FHWA published [Interim Final NEVI Formula Program Guidance](#) which supersedes all previous NEVI Formula Program Guidance. According to the updated guidance, the previous NEVI requirements have been removed as hard requirements.

While the Interim Final NEVI Formula Program Guidance no longer mandates specific spacing requirements, ODOT remains committed to fostering a connected, reliable charging network. For this reason, ODOT strongly encourages applications to propose station locations that satisfy the previous NEVI requirements.

However, ODOT recognizes that in rural or grid constrained areas, it may not be feasible to fully meet the previous NEVI requirements due to constraints beyond the Applicant’s

control (e.g., grid constraint, limited opportunities to partner with site hosts, lack of existing infrastructure).

To that end, the following guidance is provided:

- Applicants must make reasonable efforts to identify and propose locations that are compliant with the previous NEVI requirements.
- In locations where the Applicant determines that compliance with the previous NEVI requirements is not feasible (e.g., grid constraint, limited opportunities to partner, cost prohibitive), ODOT will accept and consider proposals for sites that do not satisfy the previous NEVI requirements, provided that the Applicant:
 - Clearly explains the reason for the deviation(s)
 - Demonstrates that the proposed site is the most viable option within the surrounding area, and
 - Shows how the site will effectively serve travelers of the AFC(s), even if it falls outside the mileage thresholds.

The Applicant should provide this information in the Cognito application form.

Additionally, ODOT has conducted a corridor-level siting analysis and identified several candidate sites for each corridor that, while not strictly compliant with the previous NEVI requirements, represent feasible or strategic locations for infrastructure development given the present conditions. These locations are clearly identified [here](#) for each corridor included in this NOFO.

NOTE: While ODOT strongly encourages Applicants to review the suggested locations identified in its corridor siting analysis, use of these sites is not required, and no additional points or scoring preference will be given for selecting them. Applicants are encouraged to propose the most viable, cost-effective, and NEVI-compliant sites based on their own due diligence, site control, and grid accessibility.

Please note: if an Applicant proposes a site that does not meet the previous NEVI requirements (e.g. 1 mile from the corridor, 50 miles apart)—even if it matches an ODOT-identified location—the Applicant must still clearly explain the reason for deviation and justify the site’s value and feasibility.

All proposals, whether fully compliant with the previous NEVI requirements or requesting an exception, will be evaluated for their ability to advance full corridor buildout, maximize usability, ensure traveler convenience, and meet the overall intent of the NEVI program.

For all other ODOT specific requirements, please consult Attachment 1, ODOT Specific Technical Specifications and Requirements for Operation.

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 a NEVI 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 a NEVI EV charging site host at this location for the Period of Performance), or
- Holds any other rights or restrictions relevant to installing or operating NEVI 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 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.

6.2.5 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 [NEVI 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
NOFO Advertisement	11/21/2025	5:00 PM PST	ODOT NEVI Webpage and by email

Questions Due	12/5/2025	5:00 PM PST	Email to ORNEVI@odot.oregon.gov
Answers Posted	12/12/2025	5:00 PM PST	ODOT NEVI Webpage
Applications Due	2/20/2026	5:00 PM PST	Cognito Application Portal
Conditional Award Date (Anticipated)	3/20/2026 (Planned)	5:00 PM PST	ODOT NEVI Webpage and by email
Execution of Grant Agreement (anticipated)	TBD	TBD	To be detailed in conditional award notice

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: ORNEVI@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 [ODOT's NEVI 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 NEVI 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 ORNEVI@odot.oregon.gov

Any person requiring a special accommodation due to a disability should contact ODOT by email at ORNEVI@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 [NEVI webpage](#). Applications are to be submitted by 5:00 PM PST on February 20th, 2026.

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.

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	65
1.1: Applicant team and organization Describe the Applicant team and your organization’s experience via the Cognito Application Form.	20
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.	15
1.3: Prior experience with 50kW or higher EVSE Provide prior EVSE experience and performance metrics as directed in the Cognito Application Form <ul style="list-style-type: none"> • 10 Points for 11+ projects • 5 Points for 5-10 projects 	10

<ul style="list-style-type: none"> • 1 Point for 1-4 projects <p>Note: For the purpose of scoring prior EVSE experience, a <i>project</i> 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).</p>	
<p>1.4: Past EVSE reliability</p> <p>Provide prior EVSE system performance per the Cognito Application Form.</p> <ul style="list-style-type: none"> • 10 points for 97%+ • 7 points for 93-96% • 3 points for 85%-93% • 0 points for below 85% or no prior experience 	10
<p>1.5: Quality assurance & Schedule Management</p> <p>Describe the Applicant Team's quality assurance and quality control procedures, including any formal QA/QC plans currently in place. Additionally, explain your approach to managing the project schedule.</p>	10
2.0 Understanding of Requested Services	30
<p>2.1: Operations and maintenance</p> <p>Describe the Applicant team's O&M Plan including at a minimum:</p> <ul style="list-style-type: none"> • 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). 	20
<p>2.2: Approach to safety</p> <p>Describe the Applicant team's approach to safety including:</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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 Site Characteristics	35
3.1: Utility coordination Applicants are required to demonstrate that they have contacted the applicable utility for each proposed charging station in their application and shall complete all forms as directed in the Cognito.	5
3.2: Pull-Through Design Points will be awarded for proposals that include charging spaces that incorporate pull-through design: <ul style="list-style-type: none"> • 3 points for 1 pull-through space • 5 points for 2 pull-through spaces • 7 points for 3 pull through spaces • 9 points for 4 or more pull through spaces 	9
3.3: EV Charger Shelter Points will be awarded for proposals that include covered awnings or shelters directly over all EVSE at the specific site for which the applicant is seeking funding. To qualify, the cover must: <ul style="list-style-type: none"> • Be located immediately above or adjacent to the EV charging station • Provide direct weather protection to drivers and their vehicles while actively charging Note: General canopies, awnings, or shelters located elsewhere on the property <i>will not</i> qualify for points unless they specifically and clearly serve the EV charging area.	5
3.4: Publicly Accessible Restroom Access Points will be awarded for sites that include publicly accessible restrooms (within 1,000 feet of the EV charging station).	4
3.5: Nearby Amenities	4

Points will be awarded for charging stations that are located at or near restaurants and/or other retail spaces. To qualify, these amenities must be within 1,000 feet of the proposed charging station and must be clearly identified on an area map included with the application.	
3.6: Located in Priority Community: Charging station is in a designated priority community, as defined by Oregon's Community Charging Rebate Program .	3
3.7: Site Host Letter of Commitment: Applicant provides a letter of commitment for each proposed site which includes the information outlined in section 6.2.3.	5
4.0 Future Proofing, Innovation, and Resiliency	5
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.	5
5.0 Value Added Items	15
5.1: Contributing above the required minimum match of 20% of the total project cost by: <ul style="list-style-type: none"> • 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. <ul style="list-style-type: none"> • Four or more (5 points) • Three (4 points) • Two (3 points) • One (2 points) 	5

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 [NEVI 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 after 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 90 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 NEVI 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 NEVI 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.

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 manufacture 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.

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 NEVI program, 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 20%.

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.

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.

