



REQUEST FOR APPLICATIONS

Issue Date: July 21, 2023

Title: Virginia Electric Vehicle Infrastructure Phase 1 Statewide Charging Station Deployment

Commodity Codes: 06000, 06009, 07100, 07200, 28000, 28500, 28700, 69000, 91200, 91400

Issuing Agency: Virginia Department of Transportation

RFA #: 21191

**Commonwealth of Virginia
Virginia Department of Transportation (VDOT)
1201 E. Broad Street, Richmond VA
Attention: Cynthia Neher**

Location where work will be performed: Statewide along designated Alternative Fuel Corridors

Optional Pre-Application Conference: August 4, 2023 at 10:00AM EST

Applications will be received until: September 15, 2023 at 6:00PM EST

All inquiries for information must be in writing to: Cynthia Neher at Cynthia.Neher@vdot.virginia.gov

Note: This public body does not discriminate against faith-based organizations or against an Applicant because of race, religion, color, sex, national origin, age, disability, sexual orientation, gender identity, political affiliation, or veteran status or any other basis prohibited by state or federal law.

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I. Definitions and Glossary of Acronyms

Whenever used in this Request for Applications or in the Award and/or Agreement documents, the following terms have the meanings indicated, which are applicable to both the singular and plural:

In addition to the terms and phrases defined in 23 CFR Part 680, the following definitions apply to this Request for Applications.

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

Charging Station or Station: means 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.

Charging Station Operator: means the entity that owns the chargers and supporting equipment and facilities at one or more charging stations. Although this entity may delegate responsibility for certain aspects of charging station operation and maintenance to subcontractors, this entity retains responsibility for operation and maintenance of charging and supporting equipment and facilities. In some cases, the charging station operator and the charging network provider are the same entity.

Department: The Virginia Department of Transportation, an agency of the Commonwealth of Virginia, is referred to as “Department” or “VDOT.”

NEVI Formula Funding Program Applicant or Applicant: A person or legal entity who submits an Application in response to this NEVI Formula Funding Program Request for Applications.

NEVI Formula Funding Program Application or Application: An offer made by one party to another as a basis for negotiations, prior to an Award. A submittal in response to the NEVI Formula Funding Program Applicant Request for Applications, including supplements, if any.

NEVI Formula Funding Program Award or Award: The amount of money to be reimbursed, over time, to a Recipient, from the NEVI Formula Funding Program. This does not include other Federal monies from other Federal programs.

NEVI Formula Funding Program Award Agreement or Agreement: A document enforceable by law, between two or more competent parties, to do or not to do something, not prohibited by law, for consideration. When used in this Request for Applications, an Agreement executed by VDOT and the Applicant selected to be a Recipient to provide the goods or services described in this NEVI Formula Funding Program Applicant Request for Applications.

NEVI Formula Funding Program Recipient or Recipient: An individual or legal entity that has entered into an agreement to provide goods or services in the Commonwealth of Virginia. The Applicant entering into an Agreement to supply goods or services described in this NEVI Formula Funding Program Applicant Request for Applications is referred to as a “Recipient.”

Notice to Proceed: A written notice given by the Department to the Recipient fixing the date on which the Agreement time will commence for the Recipient to begin work in accordance with the requirements of the Agreement documents.

Site: Real property, including all easements and appurtenances, which is hosting or has the potential to host the charging station and associated EV charging infrastructure.

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

Target Area or Area: Locations along the Commonwealth’s identified AFCs that have gaps in EVSE infrastructure as defined by the FHWA NEVI Formula Funding Program Guidance.

Glossary of Acronyms

Americans with Disabilities Act	ADA
Alternate Fuel Corridor	AFC
Best and Final Offer	BAFO
Combined Charging System	CCS
Code of Federal Regulations	CFR
Disadvantaged Business Enterprise	DBE
Direct Current Fast Charger	DCFC
Electric Vehicle	EV
Electric Vehicle Supply Equipment	EVSE
Federal Highway Administration	FHWA
Fully Built Out	FBO
Infrastructure Investment Jobs Act	IJJA
National Electric Vehicle Infrastructure	NEVI
National Environmental Policy Act	NEPA
North American Charging Standard	NACS
One-Time Programmatic Categorical Exclusion	OTPCE
Operations and Maintenance	O&M
Request for Applications	RFA
State Corporation Commission	SCC
Small, Women, and Minority-Owned	SWaM
Virginia Department of Transportation	VDOT

II. Purpose

The Virginia Department of Transportation (VDOT or the Department) is pleased to announce this Request for Applications to establish Awards with fixed conditions to one or more Recipients to provide for the installation, operation, and maintenance of one or more Electric Vehicle (EV) charging stations along Virginia’s Alternative Fuel Corridors (AFCs) as part of the National Electric Vehicle Infrastructure (NEVI) Formula Funding Program.

Awards to Recipients will provide up to 80% of project costs, with an anticipated maximum Award amount set at \$1,000,000 for the installation of a NEVI-compliant EV charging station, including operating and maintaining the station for a minimum of five (5) years from the initial date of operation. At the Department's discretion, the maximum Award amount of \$1,000,000 per charging station may be exceeded in situations where the cost to install, operate and maintain the station(s) in certain Target Areas is in excess of \$1,000,000.

2.1 NEVI Formula Funding Program Overview

On November 15, 2021, the Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58) was signed into law. The IIJA includes up to \$5 billion in dedicated funding for the NEVI program. The NEVI program will advance the deployment of EV charging station infrastructure throughout the country, enable a convenient, reliable, and equitable charging experience for all users, and set the United States on a path to a nationwide network of 500,000 EV chargers by 2030. The Commonwealth of Virginia is expected to receive, through allocation, approximately \$100 million over five (5) years under the NEVI program.

Under the NEVI program, each state was required to submit an initial EV Infrastructure Deployment Plan (Deployment Plan) by August 1, 2022, that describes how it will use allocated NEVI program funds. Virginia's Deployment Plan¹ was approved by FHWA on September 27, 2022. NEVI Formula Funding Program Guidance² indicates that states should initially prioritize funding for EV charging stations and infrastructure along AFCs within the interstate highway system. Virginia has eight (8) federally-designated AFCs throughout the Commonwealth at the time of this Request for Application release: I-64, I-66, I-77, I-81, I-85, I-95, I-295, and I-495.

2.2 NEVI Program Goals

To meet NEVI program requirements, Virginia's Deployment Plan outlines the intent to use initial funding to prioritize achieving fully built out (FBO) status for its AFCs. An FBO designation requires EV charging infrastructure: (1) be installed at least every 50 miles along the AFCs, and within one (1) travel mile of exiting the AFCs; (2) include at least four 150 kilowatt (kW) direct current fast charging (DCFC) ports capable of simultaneously charging four EVs; (3) have minimum station power capacity at or above 600 kW and supports at least 150 kW per port simultaneously; and (4) AFCs that terminate at a state border or terminate inside of a state border, an EV charging station must be located no further than 25 miles from the end of the designated corridor.

VDOT anticipates that the initial program funding of \$36 million (comprised of FY22 and F23 allocations) will support the installation of new stations and/or charging station upgrades required to achieve FBO status.

2.3 Virginia Deployment Plan Goals

Virginias's Deployment Plan has three (3) primary goals:

- A. **Close Charging Gaps:** Fully build out eight (8) existing AFCs within five (5) years and identify corridors of statewide significance for future build out.
- B. **Maintain Reliability and Connectivity:** Establish strict standards for measuring and reporting charging station uptime and maintaining station performance.

¹ https://www.fhwa.dot.gov/environment/nevi/ev_deployment_plans/va_nevi_plan.pdf?v=2

² https://www.fhwa.dot.gov/environment/alternative_fuel_corridors/nominations/90d_nevi_formula_program_guidance.pdf

- C. **Ensure Equitable Access:** Support the deployment of charging stations across urban, suburban, rural, and disadvantaged communities.

It is the Department’s intention to evaluate Applications based on these primary goals in addition to NEVI Formula Program guidance, mandatory NEVI Formula Program Standards and Requirements, ranked scoring of amenities and other EV charging station characteristics, and the pricing schedule detailed in [Part VII Evaluation and Award Criteria](#) of this Request for Applications.

III. General

This Request for Application (RFA) states the instructions for submitting Applications, the procedure and criteria by which an Award may be awarded, and the general terms and conditions which will exclusively govern an Agreement between VDOT and a Recipient.

IV. Eligibility

While VDOT anticipates that entities already invested in EV charging infrastructure are likely to submit Applications, entities that meet the following requirements are eligible to apply:

- A. Applicants must be a legal entity that conforms with at least one of the following criteria:
 - a. Applicant must be an individual, corporation, partnership, limited liability company, or cooperative, registered with the Virginia State Corporation Commission to do business in the Commonwealth of Virginia, or
 - b. A government entity based in the Commonwealth of Virginia, such as a local government or an institution of higher education, or
 - c. A Tribal Organization (as defined in [Title 25 US Code Section 5304\(l\)](#)).
- B. Are able to locate or become a Site Host for publicly-accessible DCFC equipment,
- C. Are able to comply with minimum NEVI Formula Program requirements,
- D. Are able to comply with minimum VDOT program requirements detailed in [Section IX](#) and [Section X](#),
- E. Are able to operate and maintain publicly-accessible DCFC equipment for a minimum of five (5) years post-construction, and
- F. Are able to provide the non-federal funding match of 20% and any additional costs incurred in excess of the maximum award of \$1,000,000 per EV charging station.

V. Request for Applications Methods

5.1 Target Areas

In accordance with this Request for Applications, Applicants shall identify at least one (1) Site for hosting electric vehicle service equipment (EVSE) located in one of the 18 identified Target Areas along a designated AFC in the Commonwealth of Virginia. VDOT intends to Award funding to one Site in each Target Area. Applicants may propose to construct a new charging station or upgrade a site with existing DCFC infrastructure by adding, replacing, or modifying the charging station. Applicants proposing charging stations outside of a Target Area will not be evaluated for a Phase I NEVI Formula Funding Program Award. The Commonwealth has an estimated 985 miles of AFCs that include the following interstate highways: I-64, I-66, I-77, I-81, I-85, I-95, I-295, and I-495. Two AFCs, I-66 and I-495, have already met the fully built out criteria at this time. Therefore, no Target Areas are located along I-66 and I-495 in Table 1 below.

Figure 1 below provides a high-level view of the existing NEVI-compliant stations and Target Areas for potential EV charging stations along the federally-designated AFCs in Virginia. To view specific interchanges (exits) within the Target Areas, please visit the VDOT NEVI GIS Mapping Tool here: <https://publicinput.com/VirginiaNEVI#1>

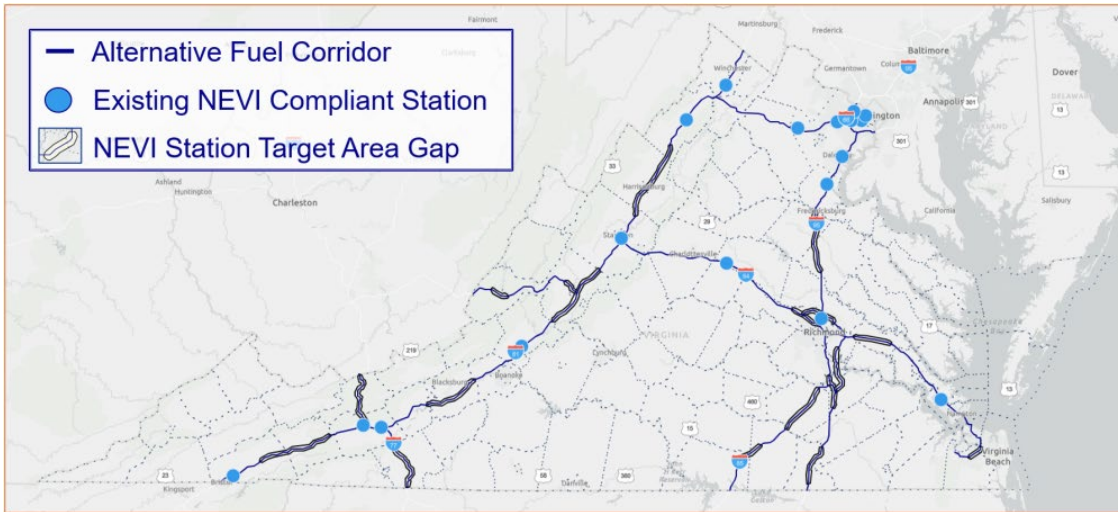


Figure 1. Existing alternative fuel corridors, existing NEVI-compliant EV charging stations, and Target Areas for EV charging stations.

The Target Areas and exits for six AFC corridors that do not currently meet a fully-built out status are defined in Table 1 below. The anticipated network and utility territories are also provided, but will require verification by the Applicant once a proposed Site is located.

Table 1. Alternative Fuel Corridor Target Areas.

Target Area	Route	Exit Options	Utility Territories
64-A	I-64	10, 14, 16	Dominion or Craig-Botetourt Electric
64-B	I-64	50, 55	Dominion or BARC Electric
64-C	I-64	173, 177, 178, 180, 181, 183, 185	Dominion Power
64-D	I-64	205, 211, 214, 220	Dominion Power
64-E	I-64	286, 289, 290, 291, 292	Dominion Power
77-A	I-77	1, 8, 14, 19, 24	Appalachian Power Company
77-B	I-77	41, 47, 52, 58, 62, 64, 66	Appalachian Power Company
81-A	I-81	22, 24, 26, 29, 32, 35, 39, 44, 45, 47, 54	Appalachian Power Company

Target Area	Route	Exit Options	Utility Territories
81-B	I-81	105, 109, 114, 118, 128	Appalachian, Craig-Botetourt Electric, or City of Radford
81-C	I-81	175, 180, 188, 195, 200, 205	Dominion or BARC Electric
81-D	I-81	235, 240, 243, 245, 247, 251, 257, 264, 269	Dominion, Shenandoah Valley Electric, City of Harrisonburg, or Town of Elkton
85-A	I-85	12, 15, 24	Dominion, Southside Electric, or Mecklenburg
85-B	I-85	39, 42, 48, 53, 61	Dominion or Southside Electric
95-A	I-95	4, 8, 11, 12, 17, 20	Dominion or Mecklenburg
95-B	I-95	41, 45, 46, 47, 48, 50, 51, 52, 53, 54	Dominion, Southside Electric, or Prince George Electric
95-C	I-95	104, 110, 118, 126, 130	Dominion or Rappahannock Electric
295-A	I-295	3, 9, 15, 22	Dominion, Southside Electric, or Prince George Electric
295-B	I-295	37, 38, 41, 43, 45, 49, 51, 5	Dominion

The Department is not pre-selecting the specific Site(s) for charging station installation throughout the Commonwealth. Instead, the Department has identified the Target Areas and associated exits along the AFCs and requires that Applicants identify and coordinate with the Site Host(s) and Utility Providers within the Target Areas and selected exits as part of the Application process.

5.2 Utility Information and Coordination

The Commonwealth is served by both investor-owned and cooperative utilities. Applicants are required to coordinate with the appropriate Utility Provider to determine the availability of utility connection based on the load and demand needs of the proposed Site prior to submitting an Application. Undertaking any utility study for interconnection that may be required by the Utility Provider prior to construction is not required to be completed prior to Application submission. However, any interconnection requirements as determined by the Utility Provider will need to be completed and documentation provided to the Department prior to issuance of an Award. Applicants who submit proposed Charging Station locations that do not have the ability to connect to the power grid will not be considered to receive an Award.

[Attachment G](#) – Utility Form must be completed by the Site Host or Applicant and signed by the Utility Provider confirming both the service territory and that utility connection is feasible at the proposed Site location. A list of investor-owned and cooperative Utility Provider contacts with service territory along Alternative Fuel Corridors is included in Attachment G. Any potential errors or omissions in contact data is not intentional and not the responsibility of the Department. Please consult potential Utility Service Providers and/or the State Corporation Commission (SCC)³ to assist in verification of service territories and Utility Provider contact information.

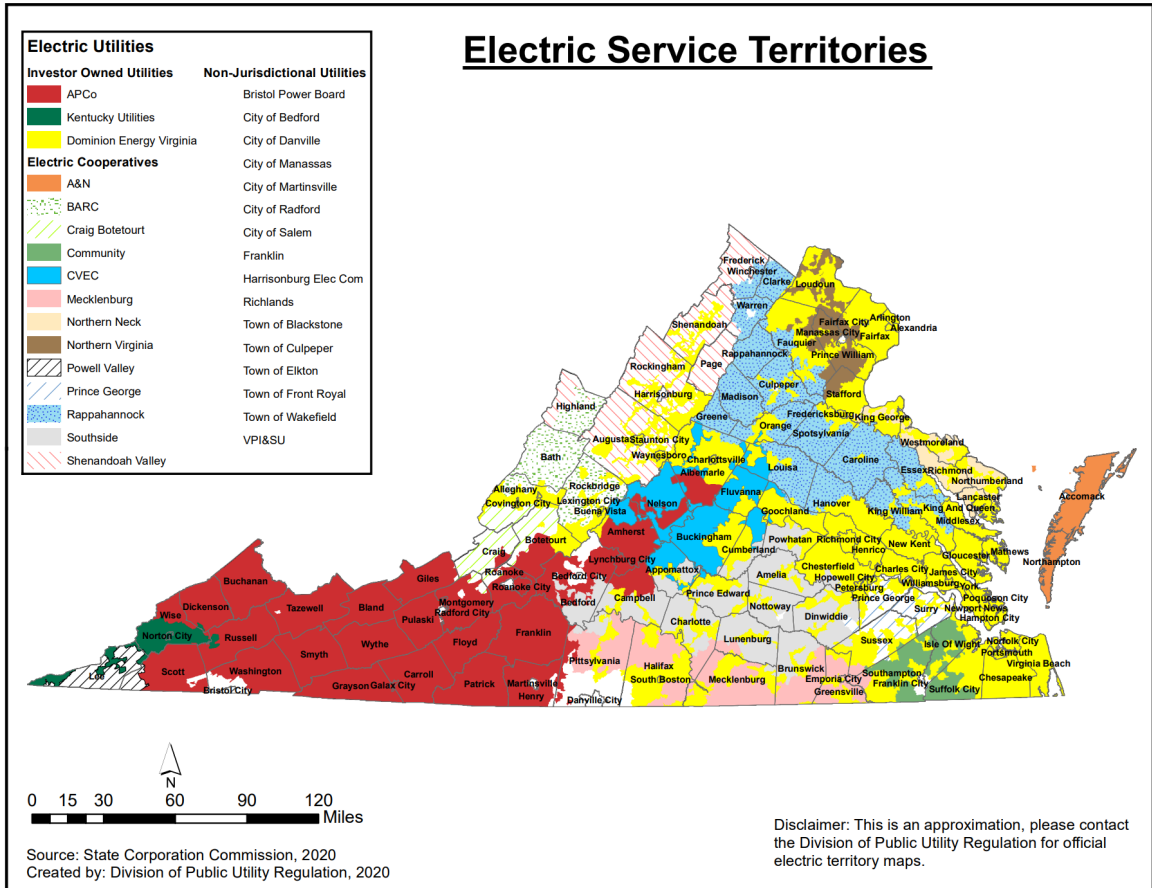


Figure 2. Electric Utility Service Territories.

5.3 Request for Application Schedule

The RFA process includes the following:

Request for Applications issuance	July 21, 2023
Non-mandatory pre-application conference	August 4, 2023 at 10:00AM EST
Deadline to submit clarification questions	August 11, 2023 at 6:00PM EST
Deadline to submit Applications	September 15, 2023 at 6:00PM EST
VDOT Application Review Completion	November 17, 2023

³ <https://www.scc.virginia.gov/>

Tentative Award Notifications	Week of December 11, 2023
Tentative Notice to Proceed Notifications	Week of January 8, 2024

5.4 Request for Applications Communication Protocols

Applicants are expected to conduct themselves with professional integrity and to refrain from lobbying activities related to this Request for Applications and application evaluation. Communication with the Department prior to submission of an Application may include inquiries about the NEVI Formula Funding Program, the Application process, or VDOT’s approved NEVI Deployment Plan. Any communication with the Department must be submitted through the VDOT NEVI Formula Funding Program Administrator whose contact information is provided on the front page of this RFA. Applicants must not construe pre-Award communication with the Department as an indicator of a potential Award.

5.5 Confidentiality/Public Records

Ownership of all data, materials, and documentation originated and prepared for the State pursuant to the Request for Applications shall belong exclusively to the State and be subject to public inspection in accordance with the Virginia Freedom of Information Act. Trade secrets or proprietary information submitted by an Applicant shall not be subject to public disclosure under the Virginia Freedom of Information Act. However, the Applicant must provide, in writing, notice that specifically identifies the data or materials to be protected and state the reasons why protection is necessary in [Attachment B](#) – Applicant’s Data Sheet, Section VI. Confidentiality.

The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures, or paragraphs that constitute trade secret or proprietary information. The classification of an entire application, line-item prices, and/or total proposal prices as proprietary or trade secrets is not acceptable and will result in rejection of the application. Applicants must provide with their proposal a summary of any proprietary information using the [Attachment E](#) – Proprietary/Confidential Information Summary Form attached to this Request for Applications.

5.6 Request for Application Questions and Addenda

Submit all inquiries and/or questions concerning this Request for Applications in email to the VDOT NEVI Formula Funding Program Administrator listed below.

Questions Due By: August 11, 2023 at 6:00PM EST

RFA Administrator: Cynthia Neher

Email: nevi@vdot.virginia.gov

The subject line header should state the following:

“Questions on RFA # 21191 Virginia Electric Vehicle Infrastructure Statewide Charging Station Deployment NEVI (Phase 1)”

VDOT cannot guarantee a response to questions received after August 11, 2023. The Administrator shall determine whether any addendum should be issued as a result of any questions or other matters raised. If addenda are issued, they will be posted to eVA. No questions will be addressed orally. To ensure timely and adequate consideration of proposals, Applicants are to limit all contact, whether verbal or written, pertaining to this Request for Applications to the designated Administrator for the duration of this process.

5.7 Request for Applications Webinar

A non-mandatory pre-application webinar will be held on August 4, 2023 at 10:00AM EST. Attendance is not mandatory prior to submitting an Application. The webinar link is below and located on the VDOT NEVI Public Input website here: <https://publicinput.com/VirginiaNEVI>. This webinar will be recorded and posted for later viewing.

Microsoft Teams Meeting Information:

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 235 673 848 166

Passcode: NKoib4

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+1 434-230-0065, 635367252#](#) United States, Lynchburg

Phone Conference ID: 635 367 252#

[Find a local number](#) | [Reset PIN](#)

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VI. Application Requirements

6.1 Application Organization and Format

Applications must be complete and follow the prescribed organization and format in order to be evaluated for Award(s).

Applications should be as thorough and as detailed as possible so that the Department may accurately evaluate Applications. Applicants are required to submit the following items as a complete Application and organized by the following naming conventions:

- A. Request For Application documents that are required to be submitted only once per applicant ([Section 6.3.1, A-F](#)), submit as follows:
 - [Applicant Name]_AdministrativeApp
 - Redacted Documents: [Applicant Name]_AdministrativeApp_REDACTED
- B. Request For Application documents that are required for each proposed Site within a Target Area ([Section 6.3.1, E-O](#) and [Section 6.3.2](#)), submit as follows:
 - [Applicant Name]_TargetAreaA, _TargetAreaB, _TargetAreaC, etc.
 - Redacted Documents: [Applicant Name]_TargetAreaA_REDACTED

If a file exceeds the allowable document size for uploading to eVA (10MB) additional uploads will be necessary and should be labeled as following examples:

- [Applicant Name]_AdministrativeApp_1
- [Applicant Name]_AdministrativeApp_2
- [Applicant Name]_TargetAreaA_1
- [Applicant Name]_TargetAreaA_2

Repeat this for each type of file upload for both original and redacted versions.

6.2 Application Submission Instructions

Applications must be received no later than 6:00PM EST on September 15, 2023.

Applications must be submitted utilizing the Commonwealth's electronic Marketplace at www.eva.virginia.gov. Applications may be submitted via the following formats: PDF, JPG, GIF, or PNG up to 10MB per file; however, some sections in this RFA request specific file types and document sizes.

Hard-copy or paper responses will not be accepted.

The entire application response including any/all attachment and any/all addenda must be submitted electronically in eVA no later than the closing date and time stated in this RFA. It is the responsibility of the Applicant to ensure their Application and all required attachments are properly completed, readable and uploaded to eVA by the date and time deadline stated on the electronic posting. Applicants should allow sufficient time to account for any technical difficulties they may encounter during online submission or uploading of documents. In the event of technical difficulties, Applicants should contact:

eVA Customer Care at 1-866-289-7367 or via email at eVACustomerCare@DGS.Virginia.gov

6.3 Application Contents

Each Application submitted must have all the Attachments completed and signed, as applicable. The signature(s) of an entity's Authorized Representative(s) may be electronic per § 59.1-485 of the Code of Virginia.

The Applicant may provide items A through F once; however, items G through O must be provided for each proposed EV charging station location.

6.3.1 Administrative Application

The Application shall include the following:

- A. Data Sheet, Certification Signature & Reference Letters ([Attachment B](#))

The Data Sheet requires information regarding an entity's financial capability and capacity to satisfy the requirements of the NEVI Formula Program. In addition, information about the entity make-up and reference letters are required.

- B. Indemnification Certification ([Attachment C](#))

- C. Charging Station Installation Experience ([Attachment D](#))

Installation experience in the United States ensures experience coordinating with real estate, utility infrastructure, etc. Installation experience in Virginia ensures experience navigating the requirements of local & municipal zoning, planning, and permitting processes and procedures.

- D. Proprietary/Confidentiality Summary Form ([Attachment E](#))

- E. Proposed Charging Station Installation(s) ([Attachment F](#))

Use this form to detail each individual proposed Site. This form may be copied and provided for each proposed Site.

- F. Site Host Signature in [Attachment F](#) – provide the signature of the Site Host indicating willingness to work with the Applicant on the proposed charging station. An executed Site Host Agreement is required prior to Award Agreement execution.

If you are the Site owner and applying for this Request for Applications, providing property ownership documentation, such as a recorded plat and Deed, is sufficient to meet this administrative requirement.

- G. Proposed Operations & Maintenance Plan – Provide details on how the software, hardware, and overall EV charging station(s) will be maintained during five (5) years of post-construction operation.
- H. Utility Form & Utility Provider Contact List ([Attachment G](#))
- I. NEPA OTPCE Checklist & Certification ([Attachment H](#))

Applicants must complete Attachment H and indicate if all of the statements are true to meet the requirements for an OTPCE. Any statements that are not true and cannot be met must be indicated on the form and may initiate a NEPA review as determined by the Department.

- J. Construction Site Map – Provide a map of the proposed Site location showing the entire tax parcel, including the following:
 - i. Locations of existing roads, sidewalks, buildings, structures & other impervious/hardscape areas,
 - ii. Utilities (including sewer, water, and any other utilities to be avoided),
 - iii. Trees and woody vegetation (individual single specimens or in groups),
 - iv. Environmental features including wetlands, bodies of water, floodplain(s), and manmade features such as stormwater management facilities to be avoided, and
 - v. Provide a close-up/call-out for the proposed EV charging station installation area and include:
 - Proposed, or existing, overhead lighting for the EV charging station area,
 - Proposed, or existing, security cameras that will monitor the EV charging station area,
 - Proposed fire prevention and traffic safety measures in the EV charging station area, and
 - Pull-through charging space(s), if applicable
 - Existing and proposed elevation profiles related to floodplain compliance, if applicable
 - Other user experience amenities detailed in [Section 7.2](#), as applicable

Construction Site Maps should be provided in PDF format with a minimum document size of 11 inches by 17 inches for detail clarity. Construction Site Maps may be multiple pages if necessary.

- K. Current aerial imagery map – Provide current aerial imagery of the Site with the EV charging station installation location area identified. Satellite imagery may be obtained from applications such as Google Earth Pro or other aerial photography and provided as a JPG, PNG, or PDF.
- L. FEMA floodplain map of the Site (<https://msc.fema.gov/portal/home>).

If the EVSE proposed for a Site is to be placed in a floodplain, provide manufacturer’s confirmation that the equipment can be safely inundated with floodwater up to the height of the base flood elevation. If the equipment cannot be safely inundated per the manufacturer, the equipment or the EV charging station installation area of the Site will need to be elevated. If the EV charging station installation area will be elevated, include profile views of the existing and proposed elevation profiles as part of the Construction Site Map above. All local floodplain ordinances apply.

M. Estimated construction schedule, detailing by the number of weeks and/or months, as applicable, the following:

- i. Planning,
- ii. Site design,
- iii. Applicable local, state, and/or federal permitting,
- iv. Procurement of EVSE,
- v. Construction,
- vi. Utility coordination and connection,
- vii. Station testing and inspection
- viii. Date of operation, and
- ix. Other applicable schedule events not listed above.

N. Pricing Schedule – defined in Section 6.3.2 below.

6.3.2 Pricing Schedule

The Department will award up to 80% of the cost to construct, operate, and maintain the EV charging station in the form of NEVI formula money, but no more than \$1,000,000 per charging station. The following costs are identified as eligible or non-eligible expenses in order to complete the Pricing Schedule.

Per the FHWA NEVI guidance, “*All funding distributed under the NEVI Formula Program shall be for projects directly related to the charging of a vehicle and only to support EV charging infrastructure that is open to the general public or to authorized commercial motor vehicle operators from more than one company.*” Full descriptions of the eligible expenses are detailed in the NEVI Formula Program Guidance⁴.

A. Eligible expenses generally include:

- i. NEVI-compliant EVSE equipment for installation at the awarded Site,
- ii. Operation, maintenance, and repair of EVSE installation equipment,
- iii. Development of Site design,
- iv. On-site traffic control devices and signage,
- v. Data sharing with the Department, and
- vi. On-site renewable energy generation and storage.

B. Costs associated with the following are non-eligible expenses:

⁴ https://www.fhwa.dot.gov/environment/alternative_fuel_corridors/nominations/90d_nevi_formula_program_guidance.pdf

- i. Costs incurred prior to a fully-executed Award Agreement,
- ii. Existing utility infrastructure installation,
- iii. Utility service upgrade costs covered by the utility,
- iv. Existing EV charging station O&M (unless the station is being upgraded through an Award),
- v. Location, siting, design, or installation of EV charging stations not agreed upon in the Award Agreement,
- vi. Salaries or expenses for any lobbying efforts,
- vii. Site improvements and equipment not directly related to the installation of the NEVI-compliant DCFC equipment,
- viii. Equipment costs associated with installing more than the minimum number of NEVI-compliant DCFC equipment,
- ix. Costs to upgrade the Site Host's property outside of the charging station area and minor infrastructure installation,
- x. Costs for major utility grid upgrades such as longer line extensions or upgrades, improvements to offsite power generation, bulk power transmission, or substations, and
- xi. Administrative costs of the Recipient, including overhead and indirect costs (e.g., office supplies, rent, marketing, and advertising).

C. Pricing Schedule Contents:

The Pricing Schedule must include the total cost of planning and installation as well as operation and maintenance for the proposed Site. The Pricing Schedule shall be broken into the categories defined below for each proposed Site. Provide a cost for each activity category and narrative details on the activities associated with each activity category:

- i. Site design,
- ii. Permitting,
- iii. EVSE,
- iv. On-site renewable energy cost (solar/batteries), if applicable,
- v. Utility study and/or utility infrastructure,
- vi. Construction & construction personnel,
- vii. O&M cost (post-construction for five (5) years), and
- viii. Miscellaneous eligible costs not identified above (if included, provide details of cost(s)).

In addition to the cost breakdown and narrative per activity category, provide a total cost for the project as well as the requested NEVI Formula Program funding amount. The maximum Award per NEVI-compliant station is set at \$1,000,000, but not more than 80% of the total cost for the project.

Applicants may provide more than the required non-federal match of 20%. Should an Applicant propose more than the required non-federal 20% funding match, additional

Ranked Scoring opportunities exist in the evaluation of the Pricing Schedule. Refer to [Part VII – Evaluation and Award Criteria](#) for Ranked Scoring breakdown.

6.4 Ownership of Applications

All written and electronic correspondence, exhibits, photographs, reports, printed material, tapes, discs, designs, and other graphic and visual aids submitted to the Department, whether indicated in the Application or otherwise submitted, become property of the Department upon delivery to the Department, and will not be returned to the Applicant.

6.5 Application Costs

All expenses incurred by the Applicant in preparation of and response to this Request for Applications shall be borne by the Applicant. In no event shall VDOT be responsible for any such expense, nor shall the preparation of the Application be an eligible reimbursable expense if the Applicant successfully receives an Award from their respective Application.

VII. Evaluation and Award Criteria

The evaluation of Applications is broken down into two (2) parts: Mandatory Application Criteria based on NEVI Formula Funding Program Guidance and Standards and Requirements, in addition to Ranked Scoring. The parts will be evaluated as follows: the Mandatory Application Criteria in [Section 7.1](#) below is “pass / fail,” and the Ranked Scoring in [Section 7.2](#) below will have points associated with each category. An overview of the evaluation criteria and scoring for both the Mandatory Application Criteria and the Ranked Scoring is detailed below. An Evaluation Worksheet has been provided as [Attachment A](#) for reference and use by the Applicant when developing their Application.

7.1 Mandatory Application Criteria

The Mandatory Application Criteria below are detailed in the National Electric Vehicle Infrastructure Standards and Requirements⁵ or set forth in the National Electric Vehicle Infrastructure Formula Program Guidance⁶. Criteria below requiring Applicant certification is accomplished by acknowledging and signing [Attachment B – Data Sheet, Certification Signature & Reference Letters](#). Code of Federal Regulation (CFR) citation references to Title 23, CFR chapter I, subchapter G, part 680 for National Electric Vehicle Infrastructure Standards and Requirements have been shortened to § 680.[####] for brevity in this RFA. In addition, the requirement descriptions listed below are intended to provide the Applicant an overview of the specific standard or requirement. Please see the National Electric Vehicle Infrastructure Standards and Requirements⁷ and the National Electric Vehicle Infrastructure Formula Program Guidance⁸ for comprehensive details for Mandatory Application Criteria listed in Subsections B-T below.

If any of the following Mandatory Application Criteria are not provided or incomplete, the Application will be deemed ineligible for further evaluation.

- A. Completed Administrative Application and Pricing Schedule(s) as described in [Section 6.2](#).

⁵ <https://www.fhwa.dot.gov/environment/nevi/>

⁶ https://www.fhwa.dot.gov/environment/alternative_fuel_corridors/nominations/90d_nevi_formula_program_guidance.pdf

⁷ <https://www.ecfr.gov/current/title-23/chapter-I/subchapter-G/part-680?toc=1>

⁸ https://www.fhwa.dot.gov/environment/alternative_fuel_corridors/nominations/90d_nevi_formula_program_guidance.pdf

- B. Distance from AFC: Per NEVI Formula Program Guidance, proposed EV charging stations may not be located greater than one (1) drive-mile from the designated alternative fuel corridor, measured as the shortest driving distance from the Highway System exit or highway intersection to the proposed station at the time of the proposal.
- C. Distance from next DCFC EV charging station: Per NEVI Formula Program Guidance, proposed EV charging stations may not be located greater than fifty (50) drive-miles from the next NEVI-compliant DCFC EV charging station or VDOT-identified Target Area. Using the Target Area Map and Table provided, include the Target Area identifier as part of a complete [Attachment F – Proposed Charging Station Installation Location\(s\)](#).
Charging stations proposed outside of an identified Target Area will not be evaluated for a Phase I NEVI Formula Funding Program Award.
- D. EV charging station: Certify that station equipment will meet the following requirements per § 680.106 Installation, operation, and maintenance by qualified technicians of electric charging infrastructure:
 - i. **(a)** Transparency on how the pricing will be determined for charging,
 - ii. **(b & c)** Minimum of four (4) network-connected DCFC charging ports, capable of charging any CCS-compliant vehicle, with each DCFC charging port having at least one permanently attached CCS Type 1 connector.
 - iii. **(d)** DCFC charging ports must support output voltages between 250 volts DC and 920 volts DC with a continuous power deliver rating of at least 150 kilowatts (kW) simultaneously from each charging port,
- E. Operating Hours: Certify that the EV charging station will be available for use by the public 24 hours a day, seven (7) days a week, and on a year-round basis as required by § 680.106 **(e)**. Isolated or temporary interruption to service or access for maintenance and repairs would not constitute a violation of this requirement as defined in § 680.116(b)(3) of the National Electric Vehicle Infrastructure Standards and Requirements.
- F. Payment: Provide details on how you will comply with the requirements in § 680.106 **(f)** regarding the multiple payment options proposed, including but not limited to:
 - i. Credit or debit cards (contactless or otherwise),
 - ii. Smart cards, or smart phone applications, and
 - iii. Either an automated toll-free phone number or short message system (SMS) that provides the option to initiate charging and payment.
 - iv. Payment options will not be restricted by membership,
 - v. There will be no delay, limit, or curtailing of power flow to EVs based on the payment method or membership, and
 - vi. Multilingual access and access for people with disabilities will be provided in the creation of payment options.
- G. Equipment Certification: § 680.106 **(g)**
 - i. Chargers must be certified by an Occupational Safety and Health Administration Nationally Recognized Testing Laboratory, and
 - ii. Chargers are certified to the appropriate Underwriters Laboratories (UL) standards for EV charging system equipment.

H. Security: § 680.106 (h)

- i. Cybersecurity: Detail how cybersecurity will be addressed to safeguard:
 1. User identity and access management,
 2. Cryptographic agility and support of multiple PKIs,
 3. Monitoring and detection,
 4. Incident prevention and handling,
 5. Configuration, vulnerability, and software update management,
 6. Third-party cybersecurity testing and certification, and
 7. Continuity of operation when communication between the charger and charging network is disrupted.
- ii. Physical Security: Detail how the Site's physical security will be addressed to enhance driver and vehicle safety, including the following:
 1. Overhead safety lighting in the EV charging station area,
 2. Security cameras that monitor the EV charging station area,
 3. Fire prevention and safety,
 4. EV charging station tampering (charger and payment devices), and
 5. EV charger locking mechanisms.
- I. Long-term stewardship: Detail how the EV charging station will be maintained in compliance with the requirements of § 680.106 (i) for a period of not less than 5 years from the date of operation in an Operations & Maintenance Plan.
- J. Workforce, Training & Certifications: Certify that the workforce installing, maintaining, and operating the chargers have appropriate licensure, certifications, and training to install and maintain the EV charging station in compliance with § 680.106 (j).
- K. Customer Service: Provide details on the customer service required and available for the EV charging station in compliance with § 680.106 (k).
- L. Customer Data Privacy: Certify that collection, processing, and retention of personal information is only what is strictly necessary to provide charging services to a customer in compliance with § 680.106 (l).
- M. Use of Program Income: Certify that any net income from revenue from the sale, use, lease, or lease renewal of property shall be used for Title 23, United States Code, eligible projects, and that program income or revenue earned from the operation of an EV charging station will be used in compliance with § 680.106 (m).
- N. EV Charging Infrastructure: Certify that charging infrastructure will conform to the following requirements in compliance with § 680.108 (a-d):
 - i. ISO 15118-3 and have hardware capable of implementing both ISO 15118-2 and ISO 15118-20,
 - ii. Open Charge Point Protocol (OCPP) 1.6J or higher,
 - iii. Meet additional standards and requirements set to take effect one year after the date of publication of the NEVI Standards and Requirements, and

- iv. Be designed to securely switch charging network providers without any changes to hardware.
- O. Traffic Control Devices: Certify that all traffic control devices for streets and highways or for on-premises signs will comply with the requirements of § 680.110 **(a & b)**.
- P. Data & Reporting: Certify that data for EV charging stations will be provided to VDOT on a quarterly and annual basis in compliance with the requirements set in § 680.112.
- Q. Charging Network Connectivity: Certify that charging network will conform to the following requirements in compliance with § 680.114 **(a-e)**:
- i. Chargers must communicate with a charging network securely,
 - ii. Chargers must have the ability to receive and implement secure and remote updates and network communication protocols,
 - iii. Support remote monitoring and management,
 - iv. Securely measure, communicate, store and report energy & power data,
 - v. Support network-to-network communication,
 - vi. Support secure communication with energy providers, and
 - vii. Remain functional if the charging network is temporarily disrupted.
- R. Pricing: Detail how the pricing for charging will be determined and displayed prior to the initiation of a charging session. Include a breakdown of any fees (such as idle, service, sales and surcharge, non-bypassable charges), demand or peak charging, state and local consumption taxes, locality utility taxes, and any other tax or fee assessed in addition to the pricing for kW/h of charging.

Detail how real-time pricing and fee information will be displayed on the unit, payment screen, or associated phone or vehicle-based application, and be compliant with rates set by the State Corporation Commission, as applicable.

Certify the following:

- i. The price for charging will be provided in real-time and not change during the charging session in compliance with § 680.116 **(a)**.
 - ii. The charging port will have an average annual uptime of greater than 97% in compliance with § 680.116 **(b)**.
 - iii. Data fields detailed in § 680.116 **(c)** will be made available, free of charge, to third-party software developers, via application programming interface.
- S. Other Federal Requirements: Certify that compliance will be met with the following as detailed in § 680.118:
- i. Statutory and regulatory requirements applicable to funds apportioned under chapter 1 of Title 23, United States Code, and the requirements of 2 CFR part 200, including the Buy America requirements detailed in subsection T below,
 - ii. The David Bacon Federal wage rate requirements must be paid for any project funded with NEVI Formula Program funds,
 - iii. The Americans with Disabilities Act of 1990 (ADA) applies to EV charging stations by prohibiting discrimination on the basis of disability,

- iv. Title VI of the Civil Rights Act of 1964 ensuring that no person shall, on the grounds of race, color, or national origin, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance,
 - v. All applicable requirements of Title VIII of the Civil Rights Act of 1968,
 - vi. The Uniform Relocation Assistance and Real Property Acquisition Act related to the acquisition of real property or the displacement or relocation of persons from their homes, businesses, or farms, and
 - vii. The National Environmental Policy Act of 1969 (NEPA) ensuring that Federal agencies consider the consequences of their proposed actions on the human environment and inform the public about decisions that that significantly affect the quality of the human environment.
- T. Waiver of Buy America Requirements for Electric Vehicle Chargers: Certify that compliance will be met with the requirements of Build America Buy America⁹:

The Federal Highway Administration (FHWA) is establishing a temporary public interest waiver to waive Buy America requirements for steel, iron, manufactured products, and construction materials in electric vehicle (EV) chargers. This short-term, temporary waiver enables EV charger acquisition and installation to immediately proceed while also ensuring the application of Buy America to EV chargers by the phasing out of the waiver over time. On the effective date of this [Buy America] waiver, [March 23, 2023] it will apply to all EV chargers manufactured by July 1, 2024, whose final assembly occurs in the United States, and whose installation has begun by October 1, 2024.

- i. Beginning with EV chargers manufactured on July 1, 2024, FHWA will phase out coverage under this waiver for those previously covered EV chargers where the cost of components manufactured in the United States does not exceed 55 percent of the cost of all components.
- ii. This second phase will therefore apply to all EV chargers that are manufactured on or after July 1, 2024, whose final assembly occurs in the United States, and for which the cost of components manufactured in the United States is at least 55 percent of the cost of all components.
- iii. For all phases, EV charger housing components that are predominantly steel and iron are excluded from the waiver and must meet current FHWA Buy America requirements. As of the effective date of this waiver, FHWA is also removing EV chargers from its existing general applicability waiver for manufactured products.

7.2 Ranked Scoring

Each Application will have a ranked score, up to 210 points, by demonstrating the following components in their respective Applications for proposed Site(s) as detailed below. The highest-ranking proposed Site(s) for each Target Area will be considered for a preliminary Award based on the overall corridor priority and as funding allows. Although VDOT intends to use the ranked scores to guide Award decision making, a high ranked score does not guarantee an Award.

⁹ <https://www.regulations.gov/docket/FHWA-2022-0023/document>

Scoring Category	points
A. Pricing Schedule	55
B. User Experience (Restrooms, Dining, Shopping, etc.)	45
C. EV Charging Station Qualifications & Experience	40
D. Justice40	20
E. On-Site Renewable Energy	10
F. Future-Proofing Utility Capacity	10
G. Pull-through spacing	10
H. Previous Site disturbance	10
I. SWaM / DBE	10
Total possible Ranking Scoring points	210

A. Pricing Schedule (Up to 55 points):

The Pricing Schedule must include the contents defined in [Section 6.3.2.C](#) and scoring will be broken down as follows:

- i. Overall cost of proposed charging station and Award requested (Max 20 points):
 - Highest cost in Target Area (0 points)
 - Scale based on percentage between highest and lowest cost in same Target Area (Between 1-19 points)
 - Lowest Cost in same Target Area (20 points)
- ii. Non-federal match proposed (Max 20 points):
 - Mandatory 20% non-federal match (0 points)
 - 21-40% non-federal match based on the total proposed cost (10 points)
 - More than 40% non-federal match based on the total proposed cost (20 points)
- iii. Breakdown of pricing schedule and narrative (Max 15 points):
 - Minimal or no pricing schedule breakdown and/or narrative (0 points)
 - Scale based on completeness of pricing schedule and amount of details in narrative in the same Target Area (Between 1-10 points)
 - Complete pricing schedule and detailed narrative (15 points)

B. Amenities supporting the charging station user experience located at or immediately adjacent to the proposed EV charging station: (Up to 45 points):

- i. Dining (traditional sit-down or fast food) at or within 0.25 miles (2 points)
- ii. 24/7 Dining (traditional sit-down or fast food) at or within 0.25 miles (2 points)
- iii. Retail shopping at or within 0.25 miles (2 points)
- iv. Trash and/or recycling receptacles with service (2 points)
- v. Open/free Wireless Internet (2 points)

- vi. Live customer service 24 hours a day/seven (7) days a week (2 points)
- vii. Dedicated support staff person(s) for EV charging (2 points)
- viii. Operational public restrooms that are ADA-compliant (2 points)
- ix. Operational public restrooms that are ADA-compliant and open 24 hours a day/seven (7) days a week (2 points)
- x. North American Charging Standard (NACS) (15 points):
Provide permanently attached cables with NACS connectors in addition to the required CCS Type 1 connectors for each proposed port. Each proposed port, no less than the four (4) required ports, must include a NACS connector to receive these points. No partial points will be awarded.
- xi. EV Charging speeds greater than minimum NEVI standard of 150 kW (up to 12 points):
 - Minimum 150 kW = 0 points
 - More than 150 kW, less than 250 kW = 4 points
 - More than 250 kW, less than 350 kW = 8 points
 - More than 350 kW = 12 points

Provide a short summary of each amenity to be provided and call out any physical features on the Construction Site Map in [Section 6.3.1](#), as applicable.

C. Charging station installation qualifications & experience (Up to 40 points):

- i. Provide narrative details on the following topics related to charging installation qualifications and experience:
 - Approach to workforce development and training to provide licensed and qualified technicians required to accomplish the work in compliance with 23 CRF Part 680.106.
 - Approach to DCFC charging station installation that includes information on project management and implementation, contract management and reporting, system reliability and resiliency, and operations and maintenance.
 - Describe the financial structure. Include information on who will assume ownership of the project, receive financial benefits, and pay for operations, maintenance, and repair. VDOT is not looking for detailed financial information.
 - Provide a narrative on the Proposer’s relevant experience, including:
 - a. Number of years providing similar services,
 - b. The number of clients/customers and geographic locations that the Proposer currently serves, and
 - c. Virginia relevant experience.

D. On-site renewable energy (Up to 10 points – 5 points for each bullet below)

- Solar (5 points)

- Battery Storage (5 points)
- E. The Justice40 Initiative¹⁰ requires equitable distribution of charging stations to disadvantaged communities as identified in the [Electric Vehicle Charging Justice40 Map](#). While locating an EV charging station in a disadvantaged community is not a requirement for every proposed station implemented under the NEVI Formula Program, 40% of the benefits of federal investments from a Justice40-covered federal program must be distributed to disadvantaged communities that are marginalized, underserved, and overburdened by pollution. The Department will be evaluating this component for every proposed Site; however, there are areas of AFCs with no identified disadvantaged community depicted in CJEST. Each proposed Site to be located in a disadvantaged community will be scored twenty (20) points.
- F. Future-proofing capacity for Site for light, medium and heavy-duty vehicles that allows expansion for growing demand and/or higher power levels. Provide details on the additional capacity to be provided that may include additional physical space for charging posts, charging ports, charging stalls, and/or power. Additional utility capacity must be included in [Attachment G – Utility Form](#) (10 points)
- G. Make available pull-through space for light duty vehicles with trailers when the Site can accommodate the spacing to do so. If pull-through charging spaces are being provided, detail this in the Construction Site Map detailed in [Section 6.3.1](#). (Up to 10 points – 2.5 points for each bullet below)
- One (1) pull-through space (2.5 points)
 - Two (2) pull-through spaces (5 points)
 - Three (3) pull-through spaces (7.5 points)
 - Four (4) pull-through spaces (10 points)
- H. Previously disturbed Site (Up to 10 points – 5 points for each bullet below)
- Charging station installation area has been previously disturbed as evidenced by existing pavement and an increase in paved area or hardscape is not proposed (5 points)
 - Utility equipment installation area(s) has been previously disturbed as evidenced by lawn maintenance, developed areas, or future development build-out preparations (i.e., parceling, zoning, subdivision plat, etc.) (5 points)
- I. Provide details on the plan to use Small, Women-owned, Minority-owned (SWaM), and/or other Disadvantaged Business Enterprise (DBE) and/or workforce as part of the project team in the areas defined below. Define whether the project team is SWaM or DBE: (Up to 10 points on a sliding scale defined below)
- i. Siting & Location,
 - ii. Planning,
 - iii. Design,
 - iv. Permitting,

¹⁰ [Justice40: A Whole-of-Government Initiative](#)

- v. Construction,
- vi. Testing & Inspection, and
- vii. Operations & Maintenance.

SWaM / DBE Scoring:

- 0 SWaM / DBE = 0 points
- 1 SWaM / DBE = 1 point
- 2 SWaM / DBE = 2 points
- 3 SWaM / DBE = 3 points
- 4 SWaM / DBE = 4 points
- 5 SWaM / DBE = 6 points
- 6 SWaM / DBE = 8 points
- 7 SWaM / DBE = 10 points

The Virginia Small Business and Supplier Diversity SWaM and DBE Directory is located at <https://www.sbsd.virginia.gov/directory/>.

VIII. Award Methods

Applicants will be notified in writing whether their respective Applications have been selected to receive an Award. Applicants must indicate their conditional acceptance of the Award to the Department pending final environmental review and completion of executed agreements below. In addition, the decision to award NEVI funding as a result of this Request for Applications will be publicly posted in eVA (www.eva.virginia.gov) for a minimum of 10 days.

After the Department has notified successful Applicants, an Award Agreement must be executed in order for the Applicant to become a Recipient. The following are required as part of the Award Agreement execution process:

- A. If the Applicant does not certify in [Attachment H](#) that the proposed Site qualifies for a One Time Programmatic Categorical Exclusion (OTPCE) per the National Environmental Policy Act (NEPA), an environmental review, conducted by VDOT at the Department's expense, will be required.

For Sites that do not qualify for a OTPCE and require a NEPA environmental review, additional time will be needed by VDOT to evaluate the proposed Site prior to execution of the Award Agreement. If the Department determines significant environmental impacts may occur at the proposed Site, the Department reserves the right to determine the Application as ineligible for an Award.

- B. Executed Site Host Agreement
- C. Fully-signed Indemnification Certification
- D. Executed Utility Connection/Service Agreement
- E. Updated Construction Schedule based on the anticipated Notice to Proceed
- F. Executed Award Agreement Document

IX. Invoicing Methods

9.1 Reimbursement Invoicing

- A. Invoices must be submitted on a monthly basis along with an Award Progress Report as described in [Part X. Award Progress Report Requirements](#) below.
- B. Invoices must be broken into the same cost categories defined in the Pricing Schedule defined in [Section 6.3.2](#) C. Pricing Schedule Contents.
- C. Recipients must use the Invoicing Template and Award Progress Report Template as defined by the Department.

9.2 Invoice Payments

Once an invoice has been received and approved by the Department's representative, reimbursement payment to the Recipient is anticipated within thirty (30) business days. Weekends and state holidays are not considered business days.

9.3 Retainage

Five percent (5%) of the total reimbursable amount will be withheld by VDOT as retainage. The Award Recipient will be paid up to 95% of each invoice when payment is due. At the end of each operational year of the required five (5) year operations and maintenance period, VDOT shall disburse one-fifth of the retainage held for each year, after approval of the Recipient's quarterly reports for the previous year.

Operational Year	Total Percent of Retainage Held	Retainage Released at Operational Year End	Total Percent of Retainage Released
1	5%	1%	20%
2	4%	1%	40%
3	3%	1%	60%
4	2%	1%	80%
5	1%	1%	100%

X. Award Progress Report Requirements

Award Progress Reports must be submitted no later than ten (10) business days after the end of the previous month along with the monthly reimbursement invoice to the VDOT email address listed in Section 9.1 above. The Award Progress Report must include the following:

- A. Current status of EV charging station implementation progress, including, but not limited to the following stages of:
 - i. Planning,
 - ii. Design,
 - iii. Permitting,

- iv. Construction,
 - v. Utility connection
 - vi. Station testing/inspection,
- B. Details regarding no action if none has occurred since the previous Award Progress Report submittal,
 - C. Details regarding implementation stage completion, and
 - D. An updated construction schedule if the new schedule differs from the original schedule approved with the Agreement.

XI. FHWA Reporting Requirements

Recipients must provide data in compliance with the National Electric Vehicle Standards and Requirements § 680.112 with a minimum frequency of quarterly (§ 680.112(b)) and annually (§ 680.112(c)). Data sharing about EV charging infrastructure will be necessary to ensure the long-term success of the national EV charging network as well as support Virginia's goal of maintaining reliability and connectivity across the Commonwealth.

XII. Terms and Conditions

12.1 Anti-Discrimination

By submitting an Application, the Applicant certifies to the Department that they will conform to the provisions of the Federal Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, and the Virginians with Disabilities Act. If the Recipient is a faith-based entity, the entity shall not discriminate based on religion, religious belief, refusal to participate in religious practice, race, age, color, gender sexual orientation, gender identity, or national origin. Faith-based entities are also subject to the same accounting requirements for the use of an Award.

12.2 Ethics in Request for Applications

By submitting an Application, the Applicant certifies to the Department that their Application is being submitted, to the best of their knowledge, true, accurate, and complete. The Applicant further certifies that the Application was completed without providing gifts, payment, or service to any public employee having responsibility for this Request for Applications.

12.3 Anti-debarment

By participating in this Request for Applications, the Applicant certifies that they are not currently debarred by the Commonwealth of Virginia from submitting an Application. The Applicant certifies that they are not debarred from filling an order or accepting any resulting order, or that they are an agent of any person or entity that is currently debarred by the Commonwealth of Virginia. The Applicant further certifies that they are not debarred or suspended from submitting bids or appears on the Federal List of Excluded Parties Listing System.

If an entity is recreated or used for the purpose of circumventing a debarment decision against another entity, the non-debarred entity will be debarred for the same time period as the debarred entity.

12.4 eVA Business-to-Government Vendor Registration

Although the Department is utilizing the Commonwealth's Procurement Marketplace, eVA, to advertise this Request for Applications, this is not a procurement transaction. This Request for Applications classifies as a "Request for Applications" in the eVA system. The eVA Internet electronic procurement solution (www.eVA.virginia.gov) streamlines and automates government marketplace activities in the Commonwealth. The eVA portal is the gateway for vendors to conduct many types of business with state agencies and public bodies. All vendors desiring to provide goods or services to, or receive competitive funding from, the Commonwealth shall participate in the eVA Internet e-procurement solution by completing the free eVA Vendor Registration. All Applicants must register in eVA and pay the Vendor Transaction Fees. Failure to register may result in the Application being rejected.

12.5 Best and Final Offer

Prior to issuance of the Award, the potential Recipient(s) may be asked to submit in writing, a Best and Final Offer (BAFO). The potential Recipient(s) Application will be rescored to combine and include the information contained in the BAFO. The decision to award NEVI funding will be based on the final evaluation including the BAFO.

12.6 Announcement of Award(s)

The decision to award funds to Recipients as a result of this Request for Applications will be publicly posted to eVA (www.eVA.virginia.gov) for a minimum of 10 days.

12.7 Execution of Agreement

Execution of the Agreement does not constitute a Notice to Proceed for the Project(s). All applicable local, state, and federal permits must be obtained prior to construction and installation of EV charging stations. If a Recipient or Recipient's agent fails to obtain any required permit prior to commencement of construction, any potential enforcement and/or penalty levied by local, state, or federal entities is the sole responsibility of the Recipient. The Department will not obtain local, state, or federal permitting on behalf of a Recipient.

12.8 Changes to Awards/Agreements

No changes are permissible to the Award or Agreement without expressed written consent by the Department. Awards nor Agreements shall not be re-assigned by the Recipient, in whole or in part, without written consent by the Department.

12.9 Right of Entry

By receiving an Award, the Site Host and Charging Station Operator must grant Site access to the Department or a Department agent in order to inspect or evaluate the implementation of the Virginia Deployment Plan. The Department is under no obligation to construct, operate, maintain, or repair the Site or Charging Station.

12.10 Civility in State Workplaces

In accordance with The Virginia Department of Human Resource Management Policy 2.35 Civility in the Workplace, expectations for appropriate behaviors extend to contract workers, customers, clients, students, volunteers and other third parties in the workplace. The Commonwealth strictly forbids harassment (including sexual harassment), bullying behaviors, and threatening or violent behaviors as well as behaviors that undermine team cohesion, staff morale, individual self-worth, productivity, and safety.

12.11 Corrective Action Plan and Default

Failure of the Recipient to deliver an operational NEVI-compliant EV charging station may result in a default of the conditions of the Agreement. In the event that a NEVI-compliant station is unable to be completely constructed and made operational by the Recipient, the Department, after notice, may terminate the Agreement and re-allocate monies from the Recipient to another entity and may hold the original Recipient responsible for repayment of expended NEVI Formula Funding Program funds for the Site.

After construction is completed and the EV charging station has been made operational, default may still occur if the EV charging station becomes a stranded asset or does not receive necessary O&M to maintain the “up time” required by the NEVI Standards and Requirements of 23 CFR Part 680. If this occurs, the Department may request the asset be divested to another Charging Station Operator such that the EC charging station may become operational.

At any point during the planning, permitting, or construction processes or the five (5) year O&M period, if the Recipient fails to comply with the NEVI Standards and Requirements or the terms and conditions of the Award Agreement, upon request by VDOT for a Corrective Action Plan (CAP), the Recipient shall complete a comprehensive CAP to VDOT’s satisfaction. The CAP will detail how the Recipient intends to come into compliance with the NEVI Standards and Requirements and/or terms and conditions of the Award Agreement that are not being met at that time.

12.12 Audit

The Recipient shall retain all books, documents, papers, accounting records, contracting, and subcontracting records, and other evidence supporting any of the services performed, and the costs incurred, at all times during the contract period, and for five (5) years after payment of the final invoice or final audit, whichever is later. Such evidence shall be maintained by the Recipient and made available to the Department at reasonable times. Such evidence will be subject to audit and inspection at any time by the Department.

12.13 Renewal of Award

No Award(s) issued from this Request for Applications are subject to renewal. Award(s) allocated to Recipient(s) from this RFA do not infer or guarantee additional awarded monies in any subsequent round of RFAs to fully build out Virginia’s AFCs. Any future Requests for Applications to distribute NEVI formula funds in the Commonwealth will require new application and evaluation and may be based on new or amended program criteria.

12.14 Term of Award

The Recipient shall complete the physical work under this Agreement no later than two (2) years from the Effective Date of the Award Agreement. If the Recipient requires additional time to complete the physical work, the Recipient shall submit a written request to the Department, which VDOT shall approve or deny in writing.

12.15 Compliance with Davis Bacon Act

As provided at 23 U.S.C. 109(s)(2), projects to install EV charging stations with NEVI Formula Funding are treated as if the project is located on a Federal-aid highway. As a project located on a Federal-aid highway, Section 113 of title 23, United States Code applies and Davis-Bacon Federal wage rate requirements included at subchapter IV of chapter 31 of title 40, U.S.C., must be paid for any project receiving NEVI Formula Program funding.

XIII. Department Rights

By submitting an Application, the Applicant agrees that the Department shall have the right to:

- A. Reject any application if it is determined to be incomplete, materially deficient, inaccurate, or falsified,
- B. Modify, amend, revise, postpone or withdraw any part of this Request for Applications at any time during the Application process to ensure compliance with Federal law and regulations or at the Department's discretion. Amendments, supplements, and addenda may require Applicants to incur additional costs,
- C. Engage and negotiate with an alternate Applicant if the Department is unable to execute an Award Agreement with the highest scoring Applicant in a reasonable amount of time,
- D. Ask for written clarification and require written responses from the Applicant(s), and
- E. Conduct Site visits and contact Site Host references or other independent parties prior to executing an Award Agreement.

XIV. Attachments

Attachment A – Applicant Evaluation Worksheet

Attachment B – Data Sheet, Certification Signature & Reference Letters

Attachment C – Indemnification Certification

Attachment D – Charging Station Installation Experience

Attachment E – Proprietary/Confidentiality Summary Form

Attachment F – Proposed Charging Station Installation Location(s)

Attachment G – Utility Form & Utility Provider Contact List

Attachment H – NEPA OTPCE Checklist & Certification

Attachment A – Applicant Evaluation Worksheet

DO NOT SUBMIT THIS WORKSHEET

This worksheet is provided as a checklist for the Applicant.

Application Contents (Section 6.3)	Yes / No
If you select “No” to any of the mandatory items below, the application will be deemed incomplete and ineligible for evaluation.	
A. Data Sheet, Certification Signature, & Reference Letters (Attachment B)	
B. Indemnification Certification (Attachment C)	
C. Charging Station Installation Experience (Attachment D)	
D. Proprietary/Confidentiality Summary Form (Attachment E)	
E. Proposed Charging Station Installation(s) (Attachment E) – one per Site	
F. Site Host Signature - one per Site	
G. Proposed O&M Plan – one per Site	
H. Utility Form (Attachment G) – one per Site	
I. NEPA OTPCE Checklist & Certification (Attachment H) – one per Site	
J. Construction Site Map – one per Site	
K. Current Aerial Imagery Map – one per Site	
L. FEMA Floodplain Map – one per Site	
M. Estimated Construction Schedule – one per Site	
N. Pricing Schedule – one per Site	
Section 7.1 - Mandatory Application Criteria	Yes / No
A. Administrative Application and Pricing Schedule(s) – from Section 6.3 above	
B. Distance from AFC met?	
C. Distance from next DCFC EV charging station or VDOT-identified Target Area met?	
D. EV charging station specifications met?	
E. Operating Hours met?	
F. Payment details provided?	
G. Equipment certification met?	
H. Cybersecurity certification met and details provided on Physical security?	

I. Long-term Stewardship information provided?		
J. Workforce & training certifications met?		
K. Customer service details provided?		
L. Customer Data Privacy certification provided?		
M. Use of program income certification provided?		
N. EV charging infrastructure conformance certification provided?		
O. Traffic control devices certification provided?		
P. Data & Reporting certification provided?		
Q. Charging Network Connectivity certification provided?		
R. Pricing details provided?		
S. Other Federal requirements certification provided?		
Section 7.2 - Ranked Scoring	Possible points	Anticipated Points Received
A. Pricing Schedule	55	
B. User Experience	45	
C. EV Installation Qualifications and Experience	40	
D. Justice40	20	
E. On-site Renewable Energy	10	
F. Future-proofing	10	
G. Pull-Through Charging Space	10	
H. Previously Disturbed Site	10	
I. SWaM & DBE	10	
TOTAL POINTS	210	

Attachment B – Data Sheet, Certification Signature & Reference Letters

**Please type or print clearly. Do not change formatting.
Provide Attachment B once regardless of the number of Sites proposed.**

Section I. Applicant Information.													
Applicant Business Name:													
Tax ID Number:													
State Corporation Commission Entity ID:						State Registered:							
Mailing Address:													
City:					State:				Zip Code:				
Are you in good standing with the Virginia State Corporation Commission?					Yes				No				
Section II. Authorized Agent with Signatory Authority													
Name:													
Title/Position:													
Telephone Number:								Cellphone Number:					
Email Address:													
Section III. Fiscal Agent & Financial Capability													
Name:													
Title/Position:													
Telephone Number:								Cellphone Number:					
Email Address:													
Provide documentation regarding your entity's financial capability to provide a minimum 20% Award match and cover up-front business costs and operations for the installation of EV charging stations on a reimbursement basis.													

Section IV. Project Manager (Primary point of contact during project implementation)

Name:			
Title/Position:			
Telephone Number:		Cellphone Number:	
Email Address:			

Section V. Project References & Reference Letters

Provide contact information and reference letters for a minimum of three (3) of the currently active projects listed in [Attachment D](#) below. **Include the Site Host/Business name, Site Host contact name, phone number(s), email address, physical address, and website address if one exists.**

VDOT reserves the right to contact or visit any of the charging station installations provided in Attachment D.

Project #1:			
Project #2:			
Project #3:			

Section VI. Certification Signature

Failure to submit all required components of the Request for Applications and sign this page shall render your Application non-responsive and ineligible for an Award.

Your signature indicates that you attest to the accuracy of all data provided and statements made in this Application, including any Attachment or Addenda. In addition, by signing below, you are certifying compliance with NEVI Formula Program standards and requirements, that you have read, understand, and hereby agree to be bound by all terms, conditions, specifications, and requirements related to this Request for Applications and Title 23, CFR chapter I, subchapter G, part 680 for allocation of NEVI Formula Program funding administered through the Virginia Department of Transportation.

Date:

Authorized Signature:

Type or Print Name:

Title:

Attachment C – Indemnification Certification

The following Indemnification Certification must be executed by both the Site Host and the Charging Station Operator prior to the execution of the Agreement. For purposes of Application submittal, the Charging Station Operator must sign this certification and may leave the Site Host information and signature section blank.

Indemnification Certification

The Site Host and Charging Station Operator shall save, hold harmless, and indemnify the Virginia Department of Transportation and its agents, the Federal Highway Administration, and the citizens of the Commonwealth against all liability, claims, demands, costs and expenses arising from, or out of, failure to comply with the terms and conditions set by the Application, Agreement, or arising from acts related to the construction, operation, maintenance and repair of the Project.

Site Host Acknowledgement

Date:
Authorized Signature:
Type or Print Name:
Title:

Charging Station Operator Acknowledgement

Date:
Authorized Signature:
Type or Print Name:
Title:

Attachment D – Charging Station Installation Experience

Please type or print clearly. Do not change formatting. Duplicate as many times as necessary.

Provide up to 10 prior EV charging station installations completed by members of your team. Limit this to recently installed charging stations that are similar to the NEVI EVSE requirements. List Virginia installations first, followed by other installations in the United States.

Site Host Name:						
Site Host Contact Name:						
Phone:				Email:		
City:			State:			
Latitude & Longitude (6-digit, decimal degree format):						
Operational Start Date:		Charger Up-Time (%) over last 12 months:		Charger Up-Time (%) since Operational Start Date:		
Connector Type(s) (CCS, NACS, CHAdeMO):			Power(s) Level (kW):			
Site Host Name:						
Site Host Contact Name:						
Phone:				Email:		
City:			State:			
Latitude & Longitude (6-digit, decimal degree format):						
Operational Start Date:		Charger Up-Time (%) over last 12 months:		Charger Up-Time (%) since Operational Start Date:		
Connector Type(s) (CCS, NACS, CHAdeMO):			Power(s) Level (kW):			
Site Host Name:						
Site Host Contact Name:						
Phone:				Email:		
City:			State:			
Latitude & Longitude (6-digit, decimal degree format):						
Operational Start Date:		Charger Up-Time (%) over last 12 months:		Charger Up-Time (%) since Operational Start Date:		
Connector Type(s) (CCS, NACS, CHAdeMO):			Power(s) Level (kW):			

Attachment E – Proprietary/Confidentiality Summary Form

**Please type or print clearly. Do not change formatting.
Duplicate this Attachment as many times as necessary.**

Section/Title	Page Number(s)	Reason(s) For Withholding

Attachment F – Proposed Charging Station Installation Location(s)

**Please type or print clearly. Do not change formatting.
Complete Attachment F for EACH proposed Site.**

Section I. Proposed Site Information			
Target Area Identifier (From Figure 1.):		Exit, Hwy, & Direction (Ex: Exit 53, I-95 South):	
Physical Address:			
Town / City / County:		Zip Code:	
Approximate Latitude & Longitude (6-digit, decimal degree format):			
Proposed Site Host Name:			
Site Ownership Status (check one):	<input type="checkbox"/> Owner	<input type="checkbox"/> Lessee	
If Lessee, attach documentation of Site Host Commitment required in Section 6.3.1 Administrative Application of the Request for Applications.			
Proposed Site Host Contact Name:			
Telephone:		Cellphone:	
Email Address:			
<i>*An Executed Site Host Agreement will be required prior to execution of the Agreement.*</i>			
Section II. Utility Information – See also Attachment G – Utility Form			
Electric Utility (Entity) Provider Name:			
Utility Contact:			
Telephone:		Cellphone:	
Email Address:			
<i>*An Executed Utility Connection/Service Agreement will be required prior to execution of the Agreement.*</i>			
Section III. Equipment Vendor			
Equipment Vendor (Entity) Name:			
Vendor Contact:			
Telephone:		Cellphone:	
Email Address:			

Section IV. Qualified Technicians			
Provide the list of licensed and qualified technicians to install and operate the EV charging station in compliance with 23 CFR Part 680.106. Installation, operation, and maintenance by qualified technicians of electric vehicle charging infrastructure.			
Include name, Virginia licensure information, and how the individual(s) are considered “qualified” per Part 680.106.			
Section V. EVSE Specifications			
Provide confirmation of the following EV charging station minimum requirements:			
Total charging station power capacity meets or exceeds 600 kW with a minimum power per DCFC port of 150 kW or greater.	YES		No
	If no, explain:		
The charging station is capable of charging a minimum of four (4) DCFC ports at 150 kW per port and be capable of simultaneously charging at least four (4) EVs.	YES		NO
	If no, explain:		
Each DCFC port has two (2) connectors: one each of Combined Charging System (CCS) and North American Charging Standard (NACS).	YES		NO
	If no, explain:		
Provide additional manufacturer’s technical specifications. Written details or a direct web link to specifications may be provided below.			
Section VI. Site-By-Site Administrative Application Information Required			
REMINDER: For each proposed Site, provide items E through N detailed in Section 6.3.1 Administration Application .			
Section VII. Site Host Signature			
Signature of the Site Host below indicates willingness to work with the Applicant on this proposed EV charging station.			
Site Host Company Name:			
Site Host Contact Name:			
Telephone/Cellphone:		Email:	
Signature of Site Host:			

Attachment G – Utility Form

If the Applicant is not the Site Host, additional requirements may be necessary between the Site Host and Utility Provider related to utility easements and other utility service-related activities. Complete Attachment G for each proposed Site location.

Site Host Information						
Name of Company / Customer:				Federal Tax ID #:		
Site Host Owner's Name:						
Billing Address:						
City / State / Zip Code:						
Contact Name (if different from Site Host):						
Contact Phone:			Contact Email:			
Site Information – Electrical Distribution Service Needs						
Physical Address of Site:						
City or Town & County:				Zip Code:		
Latitude & Longitude (6-digit, decimal degree format):						
Number of Chargers Proposed:			Total Service Power Level (kW):			
Type of Service:	New Service (No existing lines)	Existing Service Lines		Upgrade Existing Service		
Account or Meter Number (If there is existing service):						
Number and size of conductors anticipated:			Requested voltages (i.e., 3-phase 277/ 480V 4 wire):			
Service Capacity (amps):			Load Requested (kVA):			
Will there be for solar / net metering at this site? Will batteries be installed at the site to reduce of manage peak demand? If yes, provide details attached to this form for Utility Provider review.						
Will batteries be installed at the site to reduce or manage peak demand? If yes, provide details attached to this form for Utility Provider review.						
With this form, provide an aerial view/map of the site showing the transformer location and termination point. Also indicate the nearest 3-phase source, if known.						
To be completed by the Utility Provider Representative, if known:						
Estimated Utility Study Cost to be covered by the Recipient:			Estimated Utility Engineering, Construction & Equipment Cost to be covered by Recipient:			

Is this service request feasible for the proposed location detailed above? Yes ___ No ___

Utility Provider Name: _____ Date: _____

Representative Name: _____ Signature: _____

Prior to Award, a Service Agreement with the Utility Provider must be executed

Virginia Utility Provider Contact List

Utility Provider	Company Representative	Contact Information
Dominion Energy	Stephen Goss	electrification@dominionenergy.com
LGE / Kentucky Utilities	Emerging Technology	Emerging.Tech@lge-ku.com
Appalachian Power Co / AEP	Business Solution Center	(888) 710-4237
Central Virginia Electric Cooperative (CVEC)	Travis Farrar	tfarrar@mycvec.com (434) 263-8336 ext. 1450
Central Virginia Electric Cooperative (CVEC)	Mark Moreno	mmoreno@mycvec.com (434) 263-8336 ext. 1400
Northern Virginia Electric Cooperative (NOVEC)	Gordon Adams	gadams@novec.com (703) 850-0451
Northern Virginia Electric Cooperative (NOVEC)	Tom Mezzanotte	TMezzanotte@novec.com (703) 754-6737
Rappahannock Electric Cooperative (REC)	Lindsey Watson	lwatson@myrec.coop (540) 360-3924
Shenandoah Valley Electric Cooperative (SVEC)	Cassandra Frysinger	EVCharging@svec.coop (800) 234-7832
State Corporation Commission	Public Utility Regulation	UtilityReg@scc.virginia.gov (804) 371-9611

Attachment H – NEPA OTPCE Checklist & Certification

The following statements must be true for in order for the Applicant to qualify for the One-Time Programmatic Categorical Exclusion pursuant to 23 CFR 771.117 (c)(23):

- 1. There are no significant environmental impacts from the project activities.
- 2. There is no controversy on environmental grounds from the project activities.
- 3. There are no inconsistencies with any Federal, State, or local law, requirement or administrative determination relating to the environmental aspects of the action.
- 4. This project will not involve any known or potential hazardous materials issues that represent a substantial liability (i.e., RCRA Corrective Action, CERCLA, major petroleum impacts, etc.) or require substantial regulatory negotiation to resolve (VRP, Brownfields, etc.). Sites representing substantial liability would not include minor issues such as low-level petroleum impacts or minimal solid waste.
- 5. The project will not involve any residential and non-residential displacements.
- 6. The project will not involve construction of a temporary access, or the closure of an existing road, bridge, or ramps, which would result in major traffic disruptions.
- 7. The project takes place in existing parking facilities with no major electrical infrastructure modifications and are located as close to an existing electrical service panel as practicable.*
- 8. The project uses reversible, minimally invasive, non-permanent techniques to affix the infrastructure.*
- 9. The project will involve minimal ground disturbance and does not exceed previous levels of documented ground disturbance.*
- 10. The project will use the lowest profile EVSE reasonably available that provides the necessary charging capacity.*
- 11. The Charging Station is placed in a minimally visibly intrusive area.*
- 12. The project will use colors complementary to surrounding environment, where possible.*
- 13. This project will not require the use of properties protected by Section 4(f) (49 U.S.C. § 303/23 U.S.C. § 138) that cannot be documented with an FHWA *de minimis* determination, or a programmatic Section 4(f) evaluation signed by FHWA.
- 14. This project will not require the acquisition of lands under the protection of Section 6(f) of the Land and Water Conservation Act of 1965 (54 U.S.C. § 200305) or other unique areas or special

* Related to the installation, maintenance, repair, or expansion of EVSE and DCFC charging stations on historic properties.

lands that were acquired in fee or easement with federal public-use-money and have deed restrictions or covenants on the property.

- 15. This project will not require a U.S. Army Corps of Engineers Section 404 (33 U.S.C. § 1344) permit.
- 16. This project will not impact any navigable waters under the jurisdiction of Section 10 of the Rivers and Harbors Act.
- 17. This project will not require work that will cause an increase of the flood level by more than one foot within a regulatory floodway of water courses or water bodies or work affecting the base floodplain (100-year flood) elevations of a water course or lake, pursuant to 23 CFR §650 subpart A.
- 18. This project will not substantially affect noise levels and does not meet the definition of a Type I project per 23 CFR §772.5 and the VDOT noise manual for purposes of a noise analysis.
- 19. The proposed action is not likely to adversely affect federally listed species or designated critical habitat, with the exception of a "may affect, likely to adversely affect" (MALAA) determination for a species with a Section 7 programmatic biological opinion.
- 20. There is no proposed tree trimming and/or removal.

If so, indicate any amount of tree trimming and/or removal by square footage, number of trees or limbs, etc.: _____

- 21. The project meets the provisions of the "Planning Documents and NEPA Approvals" document. In accordance with 23 CFR §450 and the FHWA/VDOT/Federal Transit Administration/Virginia Department of Rail and Public Transportation MOA Statewide Transportation Improvement Program (STIP) Procedures MOA, actions listed in 23 CFR §771.117(c) and 23 CFR §771.117(d) may be grouped.
- 22. Project activities will not cause any disproportionately high or adverse effects on any minority or low-income populations since there will be no major traffic disruptions, no more than minor amounts of temporary or permanent right-of-way acquisition, no more than limited displacements, no community disruptions, or no disruption of emergency services.
- 23. This project does not involve consideration of multiple NEPA alternatives.
- 24. Project activities are not listed in 23 CFR §771.115(a) as a Class I (EIS) action.

Sign below to confirm that the above checked statements are true:

_____ Applicant Signature

_____ Date

If any of the above statements are not true, indicate the numbered item(s) below. Statements above that cannot be met may initiate a NEPA review as determined by the Department.

Statements that are not true: _____