

NATIONAL ELECTRIC VEHICLE INFRASTRUCTURE (NEVI) FREQUENTLY ASKED QUESTIONS AND ANSWERS:

Question: Do American with Disabilities Act (ADA) and Section 504 requirements apply to NEVI Formula Program projects?

Answer: Yes. EV charging stations must comply with ADA and Section 504 requirements and be accessible to and usable by individuals with disabilities, including those using wheelchairs or other assistive equipment. Key considerations include safety and ease of use. Specifically, designs for EV charging stations must ensure adequate space for exiting and entering the vehicle, unobstructed access to the EV charging stations, free movement around the EV charging stations and connection point on the vehicle, and clear paths and close proximity to any building entrances.

Question: Do they need all of the certifications like a federal-aid highway projects?

Answer: Yes, in addition to the following:

Pursuant to 23 CFR 680, NEVI Standards and Requirements, the NMDOT will require that all Awardees ensure that the workforce installing, maintaining, and operating Chargers has appropriate licenses, certifications and training to ensure that the installation and maintenance of Chargers is performed safely by a qualified and increasingly diverse workforce of licensed technicians and other laborers. These standards will be set forth in the contracts between NMDOT and the Awarded Proposers. Further:

- NMDOT will require that all electricians installing, operating, or maintaining EVSE must meet one (1) of the following requirements:
 1. Certification from the Electrical Vehicle Infrastructure Training Program (EVITP); or
 2. Graduation or a continuing education certification from a registered apprenticeship program for electricians that includes charger-specific training and is developed as a part of the national guideline standard approved by the Department of Labor (DOL) in consultation with the Department of Transportation (DOT).
- For projects requiring more than one (1) electrician, at least one (1) electrician must meet the requirements above, and at least one (1) electrician must be enrolled in an electrical registered apprenticeship program.
- All other onsite, non-electrical workers directly involved in the installation, operation and maintenance of Chargers must have graduated from a registered apprenticeship program or have appropriate licenses, certifications, and training as required by the SONM.
- Awardees must ensure that EV charging customers have mechanisms to report outages, malfunctions and other issues with charging infrastructure. Charging station operators must enable access to accessible platforms that provide multilingual services. Awardees must comply with the American with Disabilities Act of 1990 requirements and multilingual access when creating reporting mechanisms.

- Charging station operators must collect, process, and retain only that personal information strictly necessary to provide the charging service to a consumer, including information to complete the charging transaction and to provide the location of charging stations to the consumer. Chargers and charging networks should be compliant with appropriate Payment Card Industry Data Security Standards (PCI DSS) for the processing, transmission and storage of cardholder data. Charging Station Operators must also take reasonable measures to safeguard consumer data.

Question: Do they have to be open to the public? If so, how are we ensuring this?

Answer: Yes, EV Charging stations must be open to the public. To ensure this, EV charging stations are subject to a public/private partnership agreement. Funds made available under the NEVI Formula Program may be used to contract with a private entity for acquisition, installation, and operation and maintenance of publicly accessible EV charging infrastructure and the private entity may pay the non-Federal share of the cost of a project. However, even when a private entity has such a contract, under Title 23, U.S.C., the State DOT remains responsible for compliance with the NEVI Formula Program requirements and any applicable Title 23 requirements.

Question: What is the usable life cycle for the infrastructure (5 years? 10 years?) and are we requiring the T/LPA to maintain in a state of good repair for that time period? How are we doing that?

Answer: After five (5) years, operating costs are no longer eligible for reimbursements under the NEVI Formula Program. NMDOT will be encouraged to prioritize use of NEVI Formula Program funds for operation and maintenance costs at EV charging station locations that may have lower utilization (particularly in the near term) but are still necessary to ensure a contiguous, national network. NMDOT also required future proofing the station which entails conduit and an electrical service box of adequate size and disconnect capacity that will allow additional electrical cable to be run to the site for future expansion of either two additional 50 kW charging stations or a higher power station up to 400 kW.

Maintenance: The fast-charging station unit is required to have a minimum five (5) year warranty. Proof of the charging station equipment warranty must be submitted to NMDOT. Annual maintenance of the charging stations are per the original manufactured recommendations is required. All fast-charging stations must continually be in full-working order to the extent possible. Should repair be necessary, service must be contacted within 24 hours and have the station up and fully operational within 48 to 72 hours to ensure a 97% annual uptime guarantee. Proof of the charging station equipment warranty and a maintenance plan must be submitted to NMDOT prior to project completion as a condition of grant reimbursement approval.

Question: Is there a way I can get a link to a map that has potential/eligible NEVI locations?

Answer: Yes, please see page 5 of the solicitation which displays a heat map of potential sites, every 50 miles along the three (3) alternative fuel corridors (AFC).

Question: I have briefly reviewed the available maps from the website for new proposed electrical vehicle charging infrastructure along the main routes/interstates in New Mexico. It looks like it identifies “potential” sites, but not definite sites. Is there a map that shows the sites that have been chosen for installation of charging stations?

Answer: Yes, please see page 5 of the solicitation which displays a heat map of potential sites, every 50 miles along the three (3) alternative fuel corridors (AFC).

Question: Regarding EVITP certification as it pertains to New Mexico’s NEVI program, and as the general contractor for any NEVI installation in the state, does our EVITP certification cover the sub-contractor as well? Or does the sub-contractor need to be EVITP certified as well?

Answer: Regarding your question concerning EVITP certification, the federal rule requires that the workforce installing, maintaining, and operating the chargers must have an appropriate license, certification, and training. It also required that all electricians installing, operating, or maintaining EV supply equipment have a certification from the Electric Vehicle Training Program (EVITP) or graduation or a continuing education certificate from a registered apprenticeship program. Additionally, for projects that require more than one (1) electrician, at least one (1) electrician must be an enrolled in an electrical registered apprenticeship program.

Question: Is there anyway you can give me some guidance whether or not this location/type of business would qualify?

Answer: The NEVI Plan allows funds to be used to contract with private entities to acquire and install publicly accessible EV charging infrastructure and permits private entities to pay the non-Federal share of a project funded under the NEVI Formula program. Please feel free to go to the following link, and or other links within the solicitation, for other information regarding eligible costs, etc.

[*Bipartisan Infrastructure Law - National Electric Vehicle Infrastructure \(NEVI\) Formula Program Fact Sheet | Federal Highway Administration \(dot.gov\)*](#)

Question: Will you please prioritize Rivian charger installation using NEVI funding?

Answer: NEVI EV Charging station must have a minimum of:

Section 4.4.2 PROJECT SPECIFICATIONS

- NMDOT requires each EV charging station(s), service provider, and future station owners to have a minimum of:
 - four (4) 150 kilowatts (kW) direct current fast charger (DCFC) ports at each respective location;
 - must have a Combined Charging System (CCS) Type 1 connector;

- must be capable of simultaneously charging up to four (4) electric vehicles at once.

In addition, whenever possible (not required), NMDOT will follow additional Regional Electric Vehicle (REV) West Minimum Voluntary Station Standards to make driving across the western states a seamless experience. These standards represent minimum best practices, and their use will help ensure a consistent and consumer-friendly experience:

Technical Standards

- Dual protocol – at least one CHAdeMO fast charger and one SAE CCS fast charger.

Question: I'd like to request some information, as regards the requirements for a General Contractor from NY to install EV chargers in New Mexico. If the company is hiring a subcontractor to perform the work, does the company itself need to be licensed or just the contractor?

Answer: Both the company and the subcontractor must be licensed to do work in New Mexico.

Question: In Section 4.4 EVSE Specifications, 4.4.2 Project Specifications on page 12 of the SFA, the requirement outlines for each EV charging station(s), service provider, and future station owners to have a minimum dual protocol with at least one (1) CHAdeMO fast charger and one (1) SAE Combined Charging System (CCS) fast charger. Similarly, the Technical Standards outlined on page 13 reiterate the dual protocol guidance for at least one CHAdeMO fast charger and one SAE CCS fast charger.

However, as noted in Attachment 5. EVSE Vendor Information and Specifications Compliance on page 56, the Applicant is instructed to confirm compliance with the following statement consistent with the NEVI Plan: "CHAdeMO standard ports are not required, however Applicants may include them, as well as private plugs, at their discretion in addition to the four (4) CCS ports required at the site."

Can NMDOT advise on whether a CHAdeMO connector is required under this program or not as stated in Attachment 5?

Answer: In response to your question, we recommend you review the following link (23 CFR 680 - NEVI Standards and Requirements), in particular the "connector type" section.

<https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements>

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Question: The graphic below (posted in the NEVI SFA) does not have any markers such as cities, mile markers, exit numbers, or any other identifying information. This identification would be extremely helpful because when looking at the graphic it is impossible to tell where exactly the heat markers are.

Answer: Please be advised that NMDOT will be following the NEVI guidance of every 50 miles along the three (3) alternative fuel corridors (AFCs), which the heat map in our solicitation shows the target areas. If you are seeking deviation from this, you may consider requesting a waiver with justification in your proposal as we will not be providing exact locations.

Question: Is sales tax an eligible cost?

Answer: The application should exclude the applicable state gross receipts tax or local option tax; however, if awarded the Awardee shall be required to pay the tax including any increase in the tax becoming effective after the contract is entered into. The tax shall be shown as a separate amount on each billing or request for payment made under the contract.

Question: In one section on page 12 of the NEVI SFA, it states that NMDOT requires CHAdeMO however, in attachment 5, it states that CHAdeMO is not required. Please clarify if CHAdeMO is required for this solicitation, and if so, is NMDOT requiring 1 CHAdeMO charger per station or 1 CHAdeMO port per location?

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Question: If an organization would like to comment on the contractual language, should we submit our comments with our proposal or should we wait until after awardees are determined?

Answer: Please feel free to comment on the contractual language within your proposal.

Question: Is this bid required to be submitted as a paper copy or electronic copy?

Answer: We recommend avoiding hard copies for this submission, as we've observed multiple applicants applying for more than one site per state, which could potentially inundate NMDOT with an excessive number of binders and paper copies. Instead, we suggest that NMDOT consider transitioning to an electronic or portal submission method for greater ease in managing and tracking all proposals. Please follow the submission process set forth within the solicitation.

Question: Is there a required format that NMDOT would like the project schedule attached as?

Answer: No particular format is required.

Question: RFP states - All costs must be the actual price NMDOT will pay for the specific item or service identified and may not be contingent on any other factor or condition in any manner. What if costs increase dramatically, out of the applicants' control?

Answer: Those criteria such as discounts, transportation costs and total or life-cycle costs that will affect the total cost/price shall be objectively measurable. Evaluation factors need not be precise predictors of actual future costs, but to the extent possible the evaluation factors shall be reasonable estimates based upon information the state has available concerning future use. Life-cycle cost evaluation may take into account operative, maintenance, and money costs, other costs of ownership and usage and resale or residual value, in addition to acquisition price, in determining the total cost over the period the item will be used.

Question: Is both the FY22 and FY23 funding being used for this RFP Phase 1? What is the total amount allocated for this RFP Phase?

Answer: The Federal Highway Administration (FHWA) appropriated NEVI Formula Funding among States on a formula basis. Under the formula, each State received a share of program funding equal to the State's share of the combined amount that FHWA distributed determined by 23 U.S.Code 104. New Mexico's share was approximately \$38 million annually for five (5) years.

Question: Grant ask vs. total project cost?

Answer: Applicants may apply for up to 80 percent (80%) federal cost share of the eligible costs, with a minimum required match of 20 percent (20%) from non-federal sources. All eligible costs, as detailed in Section 5.4 and 6.4.1 of the solicitation, to procure equipment, construct the facility, provide utility company connectivity to a at location across the 997 miles of I-25, I-40, & I-10, product warranties, etc. are reimbursable using federal funds for up to 80% of the eligible costs. Those criteria such as discounts, transportation costs and total or life-cycle costs that will affect the total cost/price shall be objectively measurable. Evaluation factors need not be precise predictors of actual future costs, but to the extent possible the evaluation factors shall be reasonable estimates based upon information the state has available concerning future use. Life-cycle cost evaluation may take into account operative, maintenance, and money costs, other costs of ownership and usage and resale or residual value, in addition to acquisition price, in determining the total cost over the period the item will be used.

Question: What is the point allocation of the 50 maximum points per section?

Answer: The evaluation shall be based on the evaluation factors and the relative weights set forth in this SFA. The rating system shall be as follows: Applications must score at least 125 points to be considered for an award to be funded. The NMDOT reserves the right to award the contracts to the Applicant whose applications are deemed to be in the best interest of the NMDOT and the State of New Mexico. As part of the final funding decisions, the NMDOT will also consider other factors such as: geography, cultural and linguistic diversity of communities, and types of activity.

Question: NMDOT reserves the right to award the contracts to the Applicant whose applications are deemed to be in the best interest of NMDOT and State of NM. Please explain in detail how an Applicant can provide a proposal that is in the best interest of NMDOT and State of NM?

Answer: Please consider the entirety of the solicitation in determining your best interest for submittal.

Question: Will any points be awarded for the inclusion of NACS connectors (in addition to required CCS connectors)?

Answer: Applicants are required to stay abreast of updates to NEVI Formula Program Notice of Proposed Rulemaking (NPRM), or any supplement rules that apply to the NEVI Formula Program, as projects must comply with current NEVI Requirements at any given time during the development and operations phases. NMDOT will also consider other factors such as: geography, cultural and linguistic diversity of communities, and types of activity. NMDOT will continue to monitor standards that are necessary for the growing adoption of electric vehicles.

Question: Will any points be awarded for the installation of canopies?

Answer: Canopies are not a requirement based on the NEVI formula; however, whenever possible, NMDOT will follow additional Regional Electric Vehicle (REV) West Minimum Voluntary Station Standards to make driving across the western states a seamless experience. These standards represent minimum best practices, and their use will help ensure a consistent and consumer-friendly experience:

Station Siting Standards - Security cameras, adequate lighting, and an emergency shelter. NMDOT will continue to monitor standards that are necessary for the growing adoption of electric vehicles.

Question: What is the link to the electronic system mentioned: In terms of electronic submission, the entire required information and accompanying documents for the SFA must be submitted via the electronic system being used by NMDOT...

Answer: Please refer to Section 6.1 on the solicitation. All application materials are to be organized and submitted as one (1) complete, sealed hard copy application file, with four (4) separate binders/tabs, (per Application Section). If mailing applications, please be advised that all applications must be received by the SFA Coordinator by said deadline above. Four (4) hard copies of the application(s) must be received on or before 4:30 p.m. MDT, on December 1, 2023.

Question: Are contract redlines allowed after award?

Answer: Post award our legal team will provide awardee the opportunity to review and redline within the parameters of the solicitation and NEVI requirements prior to FINAL execution of contract.

Question: 1) CHAdeMO ports are not officially required, but only recommended by NMDOT? In that, we can propose a station with no CHAdeMO ports?

2) If we do propose CHAdeMO ports, we may propose the number of CHAdeMO ports that we would like to include in the EV charging station (noting that CHAdeMO cannot dispense charging of more than 62.5kW per port)?

Answer:

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Question: If we do not provide a CHAdeMO port, will this negatively impact our Technical Application Score?

Answer: No it will not.

Question: Can all signatures be signed electronically?

Answer: Yes

Question: As a private entity, do we have to apply for the funds or do we select an EV contractor to file on our behalf?

Answer: As a private entity you can apply for the funds and if awarded you would then select an EV contractor for the design, buildout, and installation of the EV charging station following established competitive process outlined in CFR 200 procurement standards.

Question: Can you determine if our location qualifies for New Mexico funding under the NEVI program?

Answer: Phase I of NEVI will include EV charging sites along the three (3) AFCs (I-25, I-10 and I-40) up to 1 mile from these corridors. Please see page 5 of the solicitation which displays a heat map of potential sites, every 50 miles along the three (3) alternative fuel corridors (AFC).

Question: Does NEVI criteria require public restrooms?

Answer: No NEVI do not require public restrooms.

Question: With the upcoming holiday week, would NMDOT please consider extending the deadline by 1 week?

Answer: The deadline will not be extended and will remain due December 1, 2023.

Question: There is a section asking applicants to request with the NM DWS for a prevailing wage determination. Is this required prior to submission or NTP? If required prior submission, could you please provide brief instructions on how to complete this request?

Answer: It is not necessary to file a request prior to submittal. This is informational to inform the applicant, if awarded, they must follow the Human Rights Act regarding prevailing wages in NM.

Question: Will the deadline be moved back?

Answer: No, NMDOT does not intend on revising the deadline.

Question: What does SFA stand for?

Answer: Solicitation for Applications

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Question: Is the NEVI SFA required to be submitted as a hard copy or electronically via the email listed in section 6.1 to the NMDOT - special projects SFA coordinator?

Answer: Applicants are required to submit a hard copy application(s) and a digital version of the Application, on or before the application due date.

Question: Can you please tell me how much funding is available during this phase of the NEVI program?

Answer: The total project for all 2200 miles is \$38.387M over 5 years for the entire build out.

Question: SAF, page 27, 6th bullet point, makes reference to section 7.4. Is this a typo? Should it make reference to section 6.4?

Answer: Yes, it is a typo. Should state section 6.4.

Question: Can you please provide us with a link the FAQs? The NM NEVI website has a small section of FAQs but we can't seem to find the full document of all ongoing questions answered at (including the CHAdeMO clarification).

Answer: The FAQs are currently being updated. Please check the website. It should be updated now. Thank you.

Regarding clarification on CHAdeMO:

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