

August 16th, 2024
To: Shortlisted Bidders
Re: Statewide NEVI RFP_ VTrans Response to Questions

Shortlisted Bidders,

Please be advised of the following questions that were received during the Question period of the Statewide NEVI RFQ that ended on 08/07/2024. The Vermont Agency of Transportation (VTrans) has provided the following response to those questions and are outlined in blue.

1. Operation and Maintenance (O&M) Payments, pgs. 41 & 42: Are (5) year parts and labor warranties invoiced as an upfront expense an eligible reimbursable upfront cost?
 - a. *Warranties may be reimbursed upfront, but operating and maintenance expenses, including service agreements, must be invoiced over the 5-year contract period.*
2. Contractors in Management Support Roles, pg. 79 of 130: Can EVSE manufacturing firm providing the EVSE hardware and software solution assist the Respondent/Offeror with drafting their proposal(s) or is this ground for proposal rejection on grounds of Organizational conflict of interest ("OCOI")? The EVSE manufacturer provides grant proposal services at no cost. Additionally, Respondent/Offeror(s) solicit cost proposals for equipment and software from independent distributors and channel partners and never directly from the EVSE manufacturer.
 - a. *This does not constitute as a conflict of interest. It is the responsibility of the shortlisted bidder to identify any conflict of interest as outlined in Section IX, Additional Requirements, Item 2, Conflict of Interest (page 32 of 130 of the RFP).*
3. Contractors in Management Support Roles, pg. 79 of 130: If the applicant utilizes their EVSE manufacturing company to support the commissioning of the EVSE equipment and software, does VTrans consider this an OCOI? This service is built into the cost of the EVSE equipment and software purchase. ChargePoint's Field Engineering & Deployment Quality team performs commissioning of the DCFC equipment and validates the Products were installed in accordance with ChargePoint's specifications.
 - a. *VTrans expects equipment and software to be commissioned in accordance with manufacturer specifications, and the project team to determine the appropriate division of responsibilities.*
4. Vermont State Insurance Specification, pg. 44: Can VTrans confirm that third-party cyber liability coverage is not required for this contract? The Vermont State Insurance Specifications state to check with the agency if it is required, and the RFP does not indicate that it is.
 - a. *Third-party cyber liability coverage is not required.*
5. Charging Equipment Requirements, pg. 5 and Eligible and Ineligible Costs, pg. 24: Will funding cover more stations /ports than the FHWA required four (4) NEVI compliant CCS ports with NACs adapters for all sites or only ARPA funded sites?

- a. VTrans will consider proposals that go beyond the minimum FHWA requirements for sites designated as Chargehubs, regardless of whether the funding source is NEVI or ARPA.
6. CHAdeMO Specific:
- a. We respectfully request VTrans to reconsider requiring one CHAdeMO connector per DCFC Charger or lower-level charger. This requirement not only adds significant cost but also site design and engineering complexities that may limit all vehicles from being able to charge at any port and adds to driver confusion. Recently, Kansas and Oregon both dropped their requirement for CHAdeMO ports for NEVI in recognition of these complexities and the small utilization of CHAdeMO ports statewide. If VTrans will not remove the CHAdeMO requirement, we have the following questions:
 - a. To clarify, proposals that incorporate the addition of at least one charger equipped with a CHAdeMO connection along with the required four 150+ kW CCS connections are not required but may score more highly. The following excerpt from [Vermont's 2023 State NEVI Plan](#) describes the reasoning for requiring CHAdeMO at this time:

“A couple of areas where there is and may be some divergence among states centers around a discussion of accessibility to charging, both in terms of payment methods and charge port connections... Vermont has a number of Nissan Leaf owners or drivers which it does not want to leave behind, and is exploring a requirement that at least one (possibly lower level) charger is equipped with a CHAdeMO connection along with the required four 150+ kW ports. These connections might be later swapped out for NACS connections as the last of those vehicles are phased out. Although these measures might be utilized by but a fraction of travelling public, Vermont recognizes and shares the goal of the NEVI program to provide widespread public charging access to all, regardless of the size of the populations that individual sites or program requirements might serve” (p.47).
 - ii. Project Location(s), pg. 4: Can VTrans clarify if the additional EV charger with a CHAdeMO port needs to meet NEVI requirements and be Buy America approved? Can this charger be an additional Level 2 charger supporting the four NEVI CCS compliant ports?
 - a. All chargers supported through this RFP must adhere to NEVI minimum requirements, including Buy America. A CHAdeMO port or standalone CHAdeMO charger is not an eligible use of NEVI funds while Vermont's AFC build out is not yet complete. A Level 2 charger is not an eligible use of NEVI funds while Vermont's AFC build out is not yet complete. A CHAdeMO connector can be installed on one of the four NEVI compliant ports with FY2022 NEVI funds. The Joint Office of Energy and Transportation has confirmed that this should be possible from a technical perspective. There may be an additional switchboard required, but the site should be able to be scoped with both CCS and CHAdeMO.
 - iii. Eligible and Ineligible Costs, pg. 24: Is an additional EV charger to provide the one (1) recommended CHAdeMO port eligible for reimbursement? Will VTrans support reimbursement for an additional DC fast charger with a dedicated CHAdeMO port or a Level 2 J1772 charger to support CHAdeMO vehicles?
 - a. A CHAdeMO port or standalone CHAdeMO charger is not an eligible use of NEVI funds while Vermont's AFC build out is not yet complete. A CHAdeMO connector can be installed on one of the four NEVI compliant ports and can be reimbursed as part of the 80% federal share with FY2022 NEVI funds.

7. Eligible and Ineligible Costs, pg. 24: Are costs for subcontractors to meet the insurance requirements an eligible cost?
 - a. Adequate insurance is required for all subcontractors and requirements are outlined in Attachment C: Standard State Provisions for Contracts and Grants, (page 43 of 130 of the RFP). These costs that are not directly related to a charging station, and fixed operations and maintenance costs incurred outside of an up-front contract at or near time of charging station commissioning, are ineligible.
8. Project Location(s), pg. 4: Can VTrans clarify if the one (1) mile distance begins at the end of the exit ramp from the corridor exit or interchange and ends at the entrance to the site?
 - a. From the FHWA methodology for measuring distance: "The 1-mile distance is the approximate driving distance from the intersection or interchange to the station location. The distance from interchanges should be the driving distance measured from the point where an exit ramp diverges from the freeway to the station location. For intersections, the driving distance should be from the intersection to the station location.
9. How much support does VTrans envision from the consultant to comply with NEPA? If VTrans is assisting with the application, how long is the NEPA process expected to take?
 - a. In order for the National Environmental Policy Act (NEPA) review process to take place, VTrans requires information such as site location (address and/or coordinates) and a conceptual site plan. The review process may take roughly 60 days and must be completed before contracts are executed. VTrans' Environmental Permitting team recommends utilizing the Vermont Agency of Natural Resources (ANR) [Natural Resources Atlas](#) to research wetlands, threatened and endangered species and habitat, hazardous waste sites, and historic or archaeological resources, and export a map that can be used as a supporting document to help expedite the review process. Right-of-Way clearance is also required prior to contract execution. To expedite certification, bidders should submit an Attorney Certification letter or letter from a qualified authority indicating that title work has been performed and indicates the right of way is free and clear of obstacles that may interfere with the project as designed.
10. If the on-site location of the proposed EV charging spaces changes, based on design and permitting, will the revised location require VTrans approval?
 - a. Yes, design changes must be submitted to and approved by VTrans in writing.
11. How much detail is VTrans requiring for the site plans submitted with proposals? Due to time constraints and costs that come with permitting and utility coordination, will VTrans accept rough site plans knowing that some minor changes may occur post-award?
 - a. VTrans understands the effort required to secure site details, plans, and agreements within the 60-day submission period. Conceptual or rough plans will be accepted along with an explanation of how any outstanding details will be finalized prior to contract award. The level of detail included in the proposal will be taken into consideration as part of the proposal evaluation. Final plans must be submitted and approved prior to contract award, with exceptions on an individual basis. Any subsequent changes made post-contract award must be submitted to and approved by VTrans in writing.
12. Eligible and Ineligible Costs, pg. 24: Page 10 of 130 states -"The revenue differential between the market and lower rate for participants enrolled in the lower rate would be an operating expense eligible for reimbursement annually for up to five years." Can VTrans confirm that this is an eligible expense? It is not included in the list of eligible expenses on page 24.
 - a. Yes, this revenue differential may be included as an eligible expense annually for up to five years. The lists of eligible and ineligible expenses on page 24 of the RFP are not exhaustive.
13. Ongoing Operation, Maintenance, and Customer Service Support, pg. 12: We respectfully request VTrans to reconsider going above NEVI federal minimum requirements for reporting station downtime. ChargePoint has been working with the Joint Office to ensure our reporting

aligns with the requirements of the Electric Vehicle Charging Analytics and Reporting Tool (EV-ChART). At this time, we are successfully sharing EV-ChART uptime data with state agencies for NEVI stations already installed. While we understand that States must ensure that EV charging customers have mechanisms to report outages, malfunctions, and other issues with charging infrastructure, it is difficult for recipients and EVSE manufacturers to try and separately negotiate differing data sharing requirements. At a minimum, ChargePoint recommends that VTrans align the notification of interruption in service to any DCFC that has lasted or is expected to last more than four (4) hours with the twenty-four-hour notification requirement in Attachment C: Standard State Provisions for Contracts and Grants 12.F.

- a. [Attachment C, Standard State Provisions for Contracts and Grants, Section 12.F](#) pertains to the housing of State Data, which NEVI contractors will not be accessing or storing.
14. Regarding the Price charged to drivers: Will VTrans consider another benchmark or additional benchmarks and circumstances under which a contract price increase will be approved. The CPI does not reflect the cost of the energy, the largest operational costs of charging stations and the operator has no control of this given that there is no choice of utilities serving a specific location. Furthermore, GMP can decide to institute and/or increase demand charges that can make a site financially unsustainable.
 - a. [After the contract award is executed, any change to the customer rate must be submitted to VTrans with a written justification for the proposed price change.](#)
 15. Regarding the Price charged to drivers: Please clarify the circumstances and process under which we may increase the rates.
 - a. [There are multiple factors that may contribute to a rate increase. VTrans will consider requests for price changes that include a written justification. Please see answer to question 14.](#)
 16. Regarding operation and maintenance and uptime: Please clarify the penalty formula and amounts of the withheld O&M funds VTrans will assess each year should a station not meet the minimum NEVI requirements. Will there be an appeal process?
 - a. [VTrans is not withholding funds for operations and maintenance expenses. Vermont's NEVI contracts will be performance-based and expenses for operations and maintenance services, including reporting, will be reimbursed on an annual basis if performance and uptime requirements are met.](#)
 17. Regarding reimbursements: If the applicant is handling 100% of the DBOOM scope in-house what documentation will VTrans require for documentation to meet the contracted costs i.e. Invoices from suppliers will not reflect the costs submitted in our application that include industry standard mark ups.
 - a. [VTrans requires original source documentation for reimbursement purposes. All anticipated costs should be outlined in the price proposal and project schedule.](#)
 18. If a site needs paving to meet ADA requirements, is that an eligible cost for site preparation?
 - a. [Yes, costs to meet Americans with Disabilities Act of 1990 \(ADA\) requirements are considered as eligible costs](#)
 19. Are there specific design criteria that must be met for a Chargehub e.g. pull through/turning radius requirements?
 - a. [There are no minimum design criteria for Chargehub sites. VTrans is looking for sites and equipment that can serve both light duty and medium and heavy-duty vehicles at these locations. A proposal for a site designated as a Chargehub should serve light duty vehicles at a minimum and may also include equipment that can serve medium and heavy-duty vehicles. Proposals that include both may score more highly in the evaluation.](#)
 20. If a Chademo port is installed, is it an eligible cost, and can be reimbursed?
 - a. [Please see question 6.](#)

21. Can the AFV tax credit be part of the 20% applicant match?
 - a. Yes, VTrans encourages bidders to pursue federal, state, and local funding sources including utility and tax incentives where available, as part of the 20% applicant match.
22. What does VTrans mean under the program requirements needing a “Dedicated Project Manager approved by VTrans”?
 - a. VTrans requires one single point of contact for the project at each site.
23. How does VTrans plan on evaluating validity of processes to provide lower prices to LMI households and/or those that do not have access to home chargers?
 - a. VTrans will be responsible for approving and enrolling participants in such a program and working with the vendor on making a lower price structure accessible to those participating. The lower price structure for those participants should approach what the participant would have otherwise paid for home charging.
24. Can you please clarify the role and requirements of the Site Host Representative(s)? Can VTrans provide an example?
 - a. The Site Host Representative is the main point of contact at the location at which the EVSE is installed. This person is responsible for locally staffing the site, is regularly available, and can readily address or field any emergent issues related to the EVSE or the site such as interacting with drivers requiring customer service, interacting with site maintenance such as plowing or landscaping contractors, having a regular and general awareness of the site to ensure it remains in satisfactory condition, and alerting the appropriate party if issues arise.
25. Will VTrans consider submissions for sites within 1 mile of the South Burlington I-189 exit, where I-89 intersects with I-89?
 - a. See Exhibit 1: Table of Federally Designated Alternative Fuel Corridors in Vermont on page 34 of 130 of the RFP. While there is some flexibility in the siting of EVSE, sites must be within the general vicinity of the priority locations identified, within 50 miles of the nearest sites in both directions of highway travel, and within 1 mile from the Alternative Fuel Corridor (AFC) exit. The FHWA methodology for measuring distances is outlined in the answer to question 8 above. VTrans’ preference is for charging locations that contribute to the communities in which they are located. If there is no acceptable site within 1 mile of the location, there is an option to apply for an exception with the FHWA. However, FHWA has indicated that they will not substantially deviate from the 1-mile radius.

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