

MN NEVI Answers to Questions

#	Document	Section	Question	Answer
1	Cost Proposal	All	Is the cost proposal scoring evaluation calculated based on total project cost, or total funding requested?	Per Section 7.1.3 of the RFP, the cost proposal will be evaluated based on the Applicant's Maximum Total Project Reimbursement requested.
2	Cost Proposal	All	Additionally, is the cost proposal scoring evaluation calculated based on dollar amounts or percentages?	The cost proposal is calculated based on dollar amounts.
3	Grant Agreement	2	The sample grant agreement (attachment 6) provided by MnDOT references exhibits A-P however, we do not have access/were not provided those exhibits for our review. Can MnDOT please provide them so we can review?	Exhibits A-I were all included in the RFP package. Exhibits L and M are discussed in Section 3.4.1 of the RFP. Exhibit N will be provided to Grantees after award. Exhibit O Buy America requirements are discussed in Section 4.1 of the RFP and include a link to the rule. Exhibit P Design Access requirements are discussed in section 1.5 of Attachment 1, Technical Requirements and a link is included.
4	Grant Agreement	9.1.6	Can you please clarify how the required 97 percent uptime will be monitored and how it ties to the performance deductions? Is it per quarter; per month; per week; per day? Can you please provide an example detailing how this will be calculated if the 97 percent uptime is not met?	Grantees will submit data quarterly through the EV-ChART online reporting tool that is being developed through the Joint Office of Energy and Transportation (https://driveelectric.gov/evchart). Per Section 9.2 of the RFP, Performance deductions will be deducted, if necessary, on a quarterly basis and will be based upon the uptime calculated during the month the invoice is submitted for the prior 12-months of operation.
5	Grant Agreement	17.4.3	Per the grant agreement, "Any deductible will be the sole responsibility of the Grantee and may not exceed \$50,000 without the written approval of the State." We are self-insured, and it would exceed \$50,000. Would this be an issue? Is there an opportunity to include self-assured language in the agreement, if awarded?	Per Attachment 6 - Draft Agreement, Section 17.4.3, If the Grantee desires authority from the State to have a deductible in a higher amount, the Grantee will so request in writing, specifying the amount of the desired deductible and providing financial documentation by submitting the most current audited financial statements so that the State can ascertain the ability of the Grantee to cover the deductible from its own resources.

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6	Grant Agreement	21.3	Can MNDOT confirm that the State match is funded and obligated for the same 5-year period as the NEVI program?	Over the 5 years of the Infrastructure Investment and Jobs Act (IIJA), Minnesota will receive an estimated \$68M in federal formula NEVI funds. MnDOT has decided that these federal funds will be available to cover up to 70% of eligible project costs, state funds will cover up to 20%, and applicants will cover a minimum of 10%. The RFP for Phase 1 includes 3 years of federal funds totaling \$39.13M, and the Minnesota Legislature provided \$13.6M of dedicated state funds which is more than sufficient to cover the 20% match for Phase 1. Based on the overall funding mix proposed by applicants and updated estimates of need for future RFPs, MnDOT will determine if additional state matching funds are required. If additional state funds are required, MnDOT will work internally and with the Legislature as needed to secure those funds and provide any other necessary changes or support.
7	Grant agreement	All	If an applicant would like to comment on contractual language, should we submit our comments with our proposal, or wait until awardees are determined?	Contractual terms are non-negotiable.
8	RFP	1.2	What is the maximum amount an applicant can request?	Per the RFP, the Applicant's Maximum Total Project Reimbursement cannot be more than 90% of eligible project costs. No total maximum amount has been set.
9	RFP	3.4	Can the equipment extended warranty costs be claimed as a grant-reimbursable capital expense in which 5 years of maintenance and repair services to achieve 97% uptime are covered upfront?	Per Attachment 4 - Cost Proposal, Applicants can only submit warranty costs in Capital Costs or O&M Costs, but not both.
10	RFP	3.4	Is a canopy covering the charging station considered an eligible cost?	Yes.
11	RFP	3.4	Is sales tax eligible?	Yes.

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12	RFP	3.4-3.5	Is sales tax an eligible cost?	Yes.
13	RFP	4	Is there a scrappage requirement? This isn't mentioned in any of the sections, and I don't have a specific page number to reference. I'm just not sure if there is a scrappage requirement for this.	MnDOT recommends site hosts and EV charging companies develop an agreement on how to deal with scrappage material.
14	RFP	6	If an applicant is applying for more than 1 candidate site, should the candidate submit a complete proposal package per site?	Yes, applicants must submit individual applications for each proposed site in accordance with the RFP and section 3.3.
15	RFP	6.2.1	Can the applicant reformat the size of the fonts of the existing language within the title, question and prompt boxes within the "Technical Application Form" (Attachment 3) to 10-point?	No. The formatting of the application should stay as is. Information provided by applicants within the respective boxes can be 10-pt font.
16	RFP	6.2.1	Can you please provide additional clarity on what content is all included on the maximum 30 pages? Example: Is the expectation to use Attachment 3 as the template to submit or is Attachment 3 purely a guide for the applicant to create their own document?	Attachment 3, Technical Application Form, must be completed. No other formats or substitutes for attachment 3, Technical Application Form, will be accepted. The following items are part of 30 page limit: <ul style="list-style-type: none"> -Attachment 3, Technical Application Form (PDF Format), with all parts completed -Organizational chart -Preliminary Site Design and Layout -Area Map
17	RFP	6.2.3	Can MnDOT give an example of what type of proof of ownership would be permissible as part of the Site Owner Letter?	It is sufficient to provide Proof of Title Insurance, which is issued soon after purchase. A copy of this can be obtained from the title company that handled/insured the sale of the property.

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18	RFP	6.2.3	Can you please provide clarity for the situation when the site owner is also the applicant, does this section still apply? If so, what is the template in this situation and what information is needed? Example from this section that may not be applicable in this situation is “what occurs if either party becomes in default”.	If the applicant is also the site owner, they shall still provide a letter addressing all requirements of the RFP in section 6.2.3 - letter from the site owner. They shall also provide proof of ownership per section 6.2.3 of the RFP. If the applicant is the site owner, the letter does not need to address the default language in 6.2.3.
19	RFP	6.2.4	Would MnDOT accept a bond instead of a Letter of Credit (LOC)? If so, could MnDOT please specify what type of bond would be permissible?	A Letter of Credit is required per the RFP.
20	RFP	6.2.4	Obtaining a Letter of Credit can be a burden on Electric Vehicle Service Providers and site hosts, as it requires applicants to restrict funds in order to collateralize the Letter of Credit. Would MnDOT consider alternative ways to evaluate the financial viability of an applicant, such as descriptions or proof of the applicant’s public financials?	A Letter of Credit is required per the RFP.
21	RFP	6.2.4	The Requestor is considering applying for the NEVI grant. Do governmental agencies such as cities or counties have to submit a letter of credit along with the application? Letter of credits are typically not needed for other governmental agencies applying for federal or state grant funds.	Yes, a Letter of Credit is required from all applicants.
22	RFP	6.5	When attempting to access the application form via the MnDOT website, the page requires an opentext username and password (screenshot below). Our organization is registered in SWIFT, but does not have credentials for this system and this login page did not seem to be shown in the posted webinar video. Does our organization need to request login credentials for this system and if so, where can those be requested?	Clearing your internet browser cache should resolve this issue. Do the following then reopen the application portal. <ol style="list-style-type: none"> 1. your internet browser 2. Click and hold ctrl + shift + delete 3. Select the time range dropdown to equal “All time” 4. Click “Clear data”

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23	RFP	4	Can MnDOT provide more information on innovation-back-up-power and provide examples of what they would consider for Back-Up Power options?	MnDOT is open to innovative ideas that are compliant with the RFP. Proposed back-up power solutions will be reviewed and evaluated in section 16 of Attachment 3 - Technical Application.
24	RFP	4	Will MnDOT award points if we propose 100% RECs?	Scoring criteria is outlined in section 7 of the RFP.
25	RFP	7.1.3	Please provide a more detailed explanation for the equation and provide an example.	The cost proposals will be scored according to the formula provided in section 7.1.3 of the RFP.
26	RFP	8.1.1	Can MNDOT provide additional documented guidance on the Pre-Award Audit?	The current list of pre-award audit documents includes: <ul style="list-style-type: none"> -Independent auditors report on financial statements and accompanying management letter, if applies -Financial statements: balance sheet, income statement and profit & loss statement -Copy of the most recent federal and state tax returns -Certification forms These documents are subject to change at any time.
27	RFP	9.0-9.1.4	Does the withholding of reimbursement only apply to capital reimbursements?	Per section 9.1.2 of the RFP MnDOT will withhold 20% of each Capital reimbursement invoice.
28	RFP	9.0-9.1.4	Additionally, Does the withholding also apply to operating/maintenance expenses?	Withholdings only apply to capital reimbursements.
29	RFP	9.2	Does MNDOT have a plan for sites that lose money for new EV sites? In other words, if we lose money, will the DOT share in the losses?	Per the RFP, Applicants can apply for up to 90% reimbursement of eligible project costs. This includes electricity and demand charges. Applicants are responsible for any costs that are not eligible for reimbursement or exceed what is included in the cost proposal.

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30	RFP	9.2	Please provide an example of how pay for performance will be calculated.	Per the RFP, During the O&M period, the following deductions will occur from the final quarterly O&M payment of each year when the invoice for reimbursement is submitted. For every percentage point, or fraction thereof, that the 97 percent uptime is not met on a per-port basis, per the NEVI Rule, \$1,000 will be deducted from that quarter's O&M payment. The uptime will be calculated during the month the invoice is submitted for the prior 12-months of operation. For example, if 1 port at a site has an uptime of 90%, \$7,000 would be deducted from that quarter's O&M payment. If a second port at that site has an uptime of 96.5%, and additional \$1,000 would be deducted from that quarter's O&M payment.
31	RFP	9.2	Will MN include the exceptions when pay for performance will not be applicable? Please provide a list of events/circumstances that would not be applicable to pay for performance.	23 CFR 680 (the NEVI rule) outlines how uptime will be calculated, including exceptions.
32	RFP	9.3	Are Eligible Costs the same as Eligible Expenses?	Yes.
33	RFP	9.3	Can MnDOT please define "Reimbursements" and provide an example?	Reimbursements are the eligible expenses that MNDOT will reimburse the Grantee for per the RFP.
34	RFP	9.3	Can MnDOT please provide a definition of "total Capital Costs of project?" What does this refer to?	Total Capital Costs are the Total Capital Costs in Attachment 4 - Cost Proposal cell 75C.

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35	RFP	9.3	Can MnDOT provide specific details of how and the liquidated damages regarding the requirement of 97% uptime will be applied, and if there are any exceptions to the 97% uptime such as vandalism, power failure, and/or weather caused outages?	23 CFR 680 (the NEVI rule) outlines how uptime will be calculated, including exceptions. Per the RFP, During the O&M period, the following deductions will occur from the final quarterly O&M payment of each year when the invoice for reimbursement is submitted. For every percentage point, or fraction thereof, that the 97 percent uptime is not met on a per-port basis, per the NEVI Rule, \$1,000 will be deducted from that quarter's O&M payment. The uptime will be calculated during the month the invoice is submitted for the prior 12-months of operation.
36	RFP	9.3	For calculating a reasonable return on investment, how should the initial capital costs reimbursements be accounted for in the calculation? For example, if a site has a total construction payment of \$600,000 the NEVI awardee would be paid \$480,000 during the construction period with 20% of each invoice (\$120,000) withheld. Would the \$480,000 be divided by five and included in the Reimbursement section of the equation?	Per the RFP, the Grantee is not allowed to make more than a reasonable return on investment on the project. Reasonable return on investment on the project is defined as no more than 15 percent annual profit on the project. This profit is defined as the remainder of all revenue received from the operation of the project and reimbursements (total revenue) after all eligible expenses have been deducted. For this calculation only, the total capital costs of the project shall be applied as an expense divided equally between the first 5 years of operation. Section 9.3 of the RFP provides the formula to calculate Profit %.
37	RFP	9.3	Is "total Capital Costs of project" the overall total of capital costs for the project, or does this refer only to the total capital costs that we provide match-share for?	Total Capital Costs are the Total Capital Costs in Attachment 4 - Cost Proposal cell 75C.
38	RFP	9.3	Is revenue share paid monthly, quarterly, or annually?	There is no revenue share. Grantees will have to abide by the requirements outlined in section 9.3 of the RFP.

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39	RFP	9.3	The substantial financial uncertainty associated with Reasonable Return on Investment may prevent us from applying for MN NEVI application. Would Minnesota Department of Transportation (MN DOT) consider the possibility of removing Reasonable Return on Investment as a requirement for the RFP?	Per the RFP, MnDOT has determined the Grantee is not allowed to make more than a reasonable return on investment on the project. Reasonable return on investment on the project is defined as no more than 15 percent annual profit on the project. Per 23 CFR 680.106(m)(2)(ii), reasonable return on investment is to be "determined by the State..."
40	RFP	9.3	Would the revenue sharing start after our investment has been recouped?	There is no revenue share. Grantees will have to abide by the requirements outlined in section 9.3 of the RFP.
41	RFP	9.3	Regarding the Reasonable Rate of Return formula and 15% limit: Can MnDOT please explain the rationale for the 15% limit? Most state DOTs have relied on the EVSE vendor to determine what a "reasonable rate of return" is, subject to Federal guidance. We request MnDOT follow this precedent and remove both the calculation and the 15% reference. We are prepared to make an investment and financial match significantly higher than the 10% requested by the Department, including making investments in additional charging capacity such as the number of charging ports and kW power output. Therefore, the rate of return we seek is still "reasonable" but should not be artificially limited especially as we are subject to 97% uptime requirements, 24/7 operations, etc. under 23 CFR 680.	Per the RFP, MnDOT has determined that the Reasonable Return on Investment on the project is defined as no more than 15 percent annual profit on the Project.
42	Scope of Work	1.9	If one of the subcontractors we are proposing to utilize in our application has a subcontractor perform work for them, are those subcontract agreements also subject to MnDOT review?	Yes.

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43	Scope of Work	5.7	Will MnDOT will work with grantees to define the structure and fields included in the customer service report referenced in Task 5.7?	The minimum required information for the Customer Service report is detailed in Attachment 2 Scope of Work item 5.7.
44	Technical Application	3	Can you please provide clarity on if the organization chart should be created based on the project roles and responsibilities, or just showing the internal organization structure of each organization name with the team members on the project?	The organizational chart should include each organization, key team members, and their roles and responsibilities.
45	Technical Application	4	Can you please provide clarity and understanding on who the “customer” is in section 4.3 and what IA DOT’s standards are for “customer service” is in regards to EV Charging installation, end EV user, etc?	Attachment 1, Technical Requirements, Section 4.2 describes the customer service requirements. In addition, Attachment 2, Scope of Work, further details customer service activities and reporting in item 5.7. The customer is any and all EV charging customers.
46	Technical Application	5	Uptime data can be considered confidential and proprietary. Is there a process or documentation to ensure uptime is listed as confidential with application submission?	Per 23 CFR 680 (the NEVI rule) Any quarterly data made public will be aggregated and anonymized to protect confidential business information.
47	Technical Application	12.7	The proposed retail site has an existing restroom available for charging station users. The store is open normal business hours 9 am to 10:00 pm Monday through Saturday and Sunday 11:00 am to 6:00 p.m. There is a gas station adjacent to the site that is open 24 hrs. a day 7 days a week. Is it restroom situation acceptable for the proposal to have restroom availability during normal business hours and utilizing the adjacent gas station when the retail site is closed?	Per Attachment 1 Technical Requirements, Access to restrooms is required 24/7.
48	Technical Application	16	Can you please clarify the difference between sections 16.1 and 16.2? It can be implied that these support the same goal of powering the EVSE in the event of a utility outage.	16.1 is the actual supply of power when power from the grid is not available. 16.2 is a connection plug/port on the EVSE that allows back-up power to be connected to the EVSE.

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49	Technical Application	20	The Requestor has several sites selected along the proposed travel corridor. Would we still qualify for the RFP if our sites are not currently designed for the minimum specifications? Should one of our sites be selected, we would increase the power and/or ports on the site.	Per the RFP, Applications will be accepted for sites within the designated Clusters that meet the requirements of the RFP. Per section 3.4 of the RFP, eligible project costs include required utility upgardes, minor grid upgrades, and costs to upgrade the project site to meet RFP requirements.
50	Technical Application	20.22	Are applicants allowed to provide a higher match than 10%? Will extra points be given or extra consideration be given for exceeding the 10% match requirement?	Applicants are required to provide a minimum match of 10% of eligible costs. Higher matches can be proposed in Attachment 4, Cost Proposal. Cost Proposals will be scored according to the formula provided in Section 7.1.3 of the RFP.
51	Technical Application	All	Are digital signatures acceptable on the application or can you please provide additional guidance on how an applicant is expected to sign the appropriate documents?	Yes, digital signatures are accepted, either as PDF signatures on the final PDFs or in the following officially recognized format: S- Signature/Name/
52	Technical Application	2	Can you please clarify what belongs in the blank space on section 2 of page 20? "That the attached proposal submitted in response to the _____ Request for Proposals has been arrived at by the Responder independently and has been submitted without collusion with and without any agreement, understanding, or planned common course of action with any other Responder of materials, supplies, equipment, or services described in the Request for Proposal, designed to limit fair and open competition;"	NEVI Formula Program
53	Technical Requirements	1	Please confirm that funding for any agreement resulting from this Request for Proposals (RFP) is considered non-taxable, provided it is used in accordance with the agreement.	Applicants are encouraged to conduct their own due diligence with the proper tax and accounting experts.

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54	Technical Requirements	1.2	Is the expectation the restroom is available 24/7 or during normal business hours?	Per Attachment 1 Technical Requirements, Access to restrooms is required 24/7.
55	Technical Requirements	1.3	Is the expectation access to food and drink are available 24/7 or during normal business hours?	Per Attachment 1 Technical Requirements, Access to food and drink is required 24/7.
56	Technical Requirements	1.3	Would hotels that are accessible 24/7 with a snack bar that offers prepackaged food and beverages meet the requirements of this section?	Per Attachment 1 Technical Requirements, Access to food and drink is required 24/7.
57	Technical Requirements	1.5	Can MNDOT clarify if the ADA Compliance requirement is only applicable to site facilities, amenities, and other project features that are in the control and operated by the Applicant?	The ADA compliant requirement applies to the EVSE and parking area. See Addendum for additional clarification.
58	Technical Requirements	1.12	Can you please provide a code document for the Fire Extinguisher Requirements? Our facility currently meets NFPA code for fire extinguishers and would like some clarity on where 10' comes from?	Per Attachment 1, Technical Requirement 1.12 The Grantee shall provide a functioning Class C fire extinguisher within 10 feet of the EVSE.
59	Technical Requirements	2.6	Can MnDOT please clarify whether adapters could be used to meet the requirement for each port to include both a CCS connector and SAE J3400 connector?	Per the RFP, connectors must be permanently attached to the EVSE.
60	Technical Requirements	3.4	Can you please clarify the following: If the EV solution is not included on the site hosts network, the site host (also applicant) and charging hardware would not have to be SOC 2 compliant? However, the OCPP software provider would have to be SOC 2 compliant? Does the OCPP software provider has to be SOC 2 Type 1 or SOC 2 Type 2 compliant as there two levels? What would the timeframe be able to show SOC 2 either Type 1 or Type 2 compliant if OCPP vendor is SOC 1 Type 2 certified today?	All Applicants must comply with all cybersecurity related requirements outlined in the RFP. For clarification, any SOC 2 audit can be proposed. Applicants are encouraged to conduct their own due diligence with respect to their team configurations in determining the proper level of oversight for their SOC 2 audits.

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61	Technical Requirements	3.4	SOC 2 compliance is a very stringent, complex and expensive process which no other state has required as part of their applications other than Iowa. This may create a barrier in encouraging private investment to EV Charging. Would MNDOT consider removing this requirement and amending to align with other states and their requirements as well as guidance provided by FHWA? Or amending this section to encourage entities to follow protocols such as PCI, NIST, and CIS Security Frameworks or limit to SOC 1 compliance.	MnDOT has outlined the cybersecurity requirements for the project that must be met in the RFP. Costs for SOC 2 audits and compliance are eligible for reimbursement.
62	Technical Requirements	3.4	Can you please provide some clarification on section 3.4 Cybersecurity Operations. Who needs to be SOC 2 compliant, the OCCP software provider, hardware provider, site host/owner, etc.?	All Applicants must comply with all cybersecurity related requirements outlined in the RFP. Applicants are encouraged to conduct their own due diligence with respect to their team configurations in determining the proper level of oversight for their SOC 2 audits.
63	Utility Coordination Form	All	Per attachment 5, the utility form is NOT to be submitted as part of the application. What utility coordination is required as part of the application?	Section 7 of Attachment 3, Technical Application addresses the approach to permitting and utility coordination.

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64	Utility Coordination Form	All	<p>The Requestor would like some guidance on the following item on the form: "Other information worth noting (i.e., rates, supply lead times, compliance with Build America, Buy America Act, etc.). Summary of scope of work and equipment to provide service." Is it acceptable to provide high level information about the EV rate that will be tied to the proposed sites?</p> <p>Is it acceptable to provide our standard estimate/proposal document? That only covers high level information. The proposed size of the transformer for the service (kVa) would be included. We do not currently have a process/policy to provide build America, Buy America related asks. There are several different components that are used for utility service (Conductors/wires, Transformers, etc.). I reviewed the online federal guidance, and I am unclear on what equipment/infrastructure needs to be compliant. Is there a resource I can reference that lists applicable utility specific infrastructure components?</p> <p>There is also a note: "All utility upgrades for NEVI sites must meet Build America, Buy America Act compliance". If there are distribution upgrades upstream of the site/service (feeders, substations) that are required. Does the Requestor need to provide a summary of those upgrades and if they meet Build/Buy America requirements? This would be applicable to utility investments not billed to the customer. If the Requestor is unable to provide information on compliance with Build/Buy America in the RFP Attachment 5: Utility Coordination Form, will that disqualify customers from receiving NEVI funding?</p>	<p>Applicants are encouraged to provide as much detail as they are able in their applications. Build America, Buy America (BABA) requirements apply to all utility upgrades within the scope of the NEPA clearance. The scope of the NEPA clearance is site dependent and will be determined by the DOT after successful sites are awarded. For example, all minor utility upgrades and on-site electric service equipment (e.g., power meter, transformer, switch gear) for NEVI sites must meet BABA requirements. A minor utility grid upgrade is defined as the work necessary to connect a charging station to the electric grid distribution network; for example, extending power lines or upgrading existing power lines several miles. Links and additional information on Build America, Buy America requirements can be found in section 4.1 of the RFP.</p>

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65	Utility Coordination Form	All	<p>The Requestor would like some guidance on the following item on the form: "Preliminary cost estimates/range of all potential costs. Please include line item costs, a total cost, and identify what costs will be invoiced to the customer, if applicable."</p> <p>We will have project estimates for establishing electrical service to the chargers. Traditionally we do not breakdown costs extensively. However, we can easily provide estimates grouped by:</p> <ul style="list-style-type: none"> 1-Labor 2-Materials 3-Other 4-Contractors 5-Permitting 6-Overhead. <p>The company would only include costs billed to the customer (not the Requestor's costs). Is the grouping of cost estimates listed above adequate for the application or is additional detail needed?</p>	<p>Utilites are encouraged to provide as much detailed information as they are able to all potential applicants.</p>