

# NOTICE OF GRANT OPPORTUNITY/REQUEST FOR PROPOSALS 2

Minnesota Department of Transportation  
National Electric Vehicle Infrastructure  
*Legislative Authority: Minnesota Statutes, Section 174.47*

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## 1.0 Introduction

### 1.1 Background

Congress passed the Bipartisan Infrastructure Law (BIL), also referred to as the Infrastructure Investment and Jobs Act (IIJA), on November 15, 2021, which included the [National Electric Vehicle Infrastructure \(NEVI\) Formula Program](#). The NEVI Formula Program provides dedicated funding to construct an electric vehicle (EV) charging infrastructure network across the country.

### 1.2 Overview

The Minnesota Department of Transportation (MnDOT) requests responses to this Request for Proposals (RFP) to participate in the deployment of NEVI-compliant electric vehicle supply equipment (EVSE) across the state. The RFP published under this competitive selection provides available funding for updates to existing EVSE sites and new EVSE sites along identified Alternative Fuel Corridors (AFC) that meet NEVI Formula Program requirements. MnDOT's goal is to deploy the State's NEVI formula funds strategically to support the development of convenient, accessible, reliable, and equitable EVSE along the designated AFCs.

This RFP will focus on design, construction, acquisition, installation, operations, maintenance, and ownership of EVSE at locations near the interstate system where there is a lack of EVSE sites (clusters). MnDOT will not own, operate, or maintain any of the EVSE. The EVSE and project sites will not be located on MnDOT or state-owned right-of-way. This RFP includes requirements for EVSE, site selection, installation, operations and maintenance (O&M), and reporting.

This RFP also includes information on the process by which competitive grant selections will be awarded, funding match levels and requirements, project eligibility, funding priorities, activities eligible for reimbursement, and other information that will help Applicants plan their project and submit an application.

The NEVI Formula Program supports the acquisition, installation, operation, and maintenance of direct-current, fast-charging (DCFC) infrastructure. Minnesota will receive approximately \$68 million in total over federal fiscal years (FFY) 2022–2026. FFY22 federal funding is \$10.09 million, FFY23 federal funding is \$14.52 million, FFY24 federal funding is \$14.52 million, and FFY25 federal funding is \$14.52 million. In 2024 MnDOT entered into contracts with grantees and consultants for \$6.52 million of FY22 federal funds. In this RFP round there will be up to \$47.41 million available for Round 2 deployment. In addition to federal funding, the Minnesota legislature allocated State funding to provide matching funds to NEVI projects. NEVI formula funds will cover up to 70 percent of eligible project costs, State funds will cover up to 20 percent of eligible project costs, and Applicants will be required to cover a minimum of 10 percent of eligible project costs. All federal and State funds will be provided on a reimbursement basis.

This RFP does not obligate MnDOT to award a grant or complete the project, and MnDOT reserves the right to cancel the solicitation if it is considered to be in its best interest. Applicants must adhere to all terms of this RFP. All costs incurred responding to this RFP will be borne by the Applicant.

### 1.3 Goals

The goal of this project is to implement Phase 1 build out of MnDOT's NEVI formula funds program with stations built at 14 clusters along the three AFCs in the state—Interstate 94 (I-94), Interstate 35 (I-35), and Interstate 90 (I-90). MnDOT will fund one NEVI-compliant charging station in each cluster. MnDOT has established the following goals for the state's NEVI program:

- Maximize federal dollars while following federal requirements.
- Have a choice of Applicants with proven knowledge and experience installing EV chargers.
- Use a best-value approach to evaluation.
- Include a process for disadvantaged communities—including Black, Indigenous, and People of Color (BIPOC)—and low-income communities, who have been traditionally marginalized, to influence site selection and key project elements.
- Guarantee that charger installations, operations, maintenance, and ownership can be handled by an experienced contract partner and will not be MnDOT’s responsibility.

## 2.0 Attachments and Reference Documents

### 2.1 Attachments

The following attachments are incorporated into and made part of this RFP by reference:

- Attachment 1 – Technical Requirements
- Attachment 2 – Scope of Work and Deliverables
- Attachment 3 – Technical Application Form
- Attachment 4 – Cost Proposal Form
- Attachment 5 – Optional Utility Coordination Form
- Attachment 6 – Grant Agreement
- Attachment 7 – Federal Highway Administration (FHWA) Form 1273
- Attachment 8 – Example Letter of Credit

### 2.2 Reference Documents

Applicants are urged strongly to conduct their due diligence as it relates to the NEVI Formula Program and the federal, state, and local laws that apply to this funding. The following reference documents are available:

- [National Electric Vehicle Infrastructure Standards and Requirements](#)
- [FHWA NEVI Formula Program Guidance](#)
- [FHWA NEVI Program Frequently Asked Questions](#)
- [National Electric Vehicle Infrastructure \(NEVI\) Formula Program Q&A, Set #2 \(dot.gov\)](#)
- [MNDOT’s NEVI program website](#)

## 3.0 Eligibility

### 3.1 Eligible Applicants

Applicants must meet the minimum requirements to be considered fully for this grant opportunity.

Eligible Applicants include, but are not limited to:

- For-profit businesses
- Privately owned electric utilities
- Non-profit organizations
- Governmental entities
- Tribal Nations
- Utilities
- Teaming partnerships that include the above eligible entities with a clear primary Applicant and point of contact

### 3.2 Ineligible Applicants

Ineligible Applicants include entities or individuals that are currently suspended or debarred by the state of Minnesota or the federal government. More information on suspended and debarred vendors can be found on the [Minnesota Office of State Procurement Website](#).

### 3.3 Application Limitations and Requirements

Each application can only include one site. Applicants may submit only one application per cluster. Applicants may submit applications for more than one cluster. Applications for locations outside of the identified 13 clusters will not be accepted. Cluster information is found in Section 4.2, Priority Clusters.

### 3.4 Eligible Costs

For the purpose of this RFP, a Project site is defined as a location where one or more charging stations are located. A Project site may contain both a NEVI charging station and a non-NEVI charging station. NEVI charging stations must be compliant with 23 CFR 680 and the entirety of this RFP. Applications will be evaluated on the NEVI charging station and related amenities as outlined in this RFP. Awardees will be reimbursed for only NEVI charging station related costs and required utility upgrades per this RFP. When ports and stations are referenced in this RFP they refer only to NEVI ports and NEVI charging stations, unless otherwise specified.

Grantees will be reimbursed for eligible costs according to the Cost Proposal Form (Attachment 4). Applicants may apply for grant funds for up to 90 percent of the eligible costs, with a minimum required match of 10 percent to be provided by the Applicant. NEVI Formula funds will cover up to 70 percent of the eligible costs, and State funds will cover up to 20 percent of the eligible costs. The remaining project costs are the responsibility of the Applicant. Eligible Costs are expenses deemed to be eligible by [23 Code of Federal Regulations \(CFR\) 680](#) and [2 CFR Part 200 Subpart E – Cost Principles](#).

To be considered directly related to the operation of an EVSE station, an item must be a necessary component in the EVSE station operations, be a necessary component to connect the EVSE charging station to the electricity source (or to supply power from the electricity source), enable management of electricity demand or back-up availability (if applicable), provide eligible signage to direct EVs to the charging station, or provide information to EV users about use of the charging station. This includes costs of new public EVSE charging stations as well as upgrades to existing EVSE charging stations.

Example eligible costs include:

- Capital costs, including:
  - Required utility upgrades
  - Distributed energy resource equipment and installation
  - Equipment to provide power to EVSE stations and installation
  - On-site electric service equipment and installation
  - Minor grid upgrades (a minor 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)
  - Repairs, upgrades, or replacements of existing EV charging equipment to meet NEVI Formula Program minimum standards and requirements
  - Costs to update existing EVSE charging stations to meet Americans with Disabilities Act (ADA) requirements
  - Costs to upgrade the project site to meet RFP requirements
  - Costs to promote EV workforce development activities

- Pre-construction costs associated with environmental review and preliminary engineering
- Proprietary adaptors, including CHAdeMO (Note: CHAdeMO adaptors will be eligible for reimbursement using FFY22 funds)
- Cost of any shared equipment that supports both NEVI and non-NEVI ports prorated based on the proportion of the power rating of the equipment that can supply the NEVI ports simultaneously
- Light-duty EVSE infrastructure projects that meet NEVI program requirements
- O&M costs, including:
  - Full extended warranty per charging port
  - Site maintenance
  - General inspections/charger upkeep
  - Electricity and demand charges (Note: will only be reimbursed for costs during the quarterly invoice period that are above the [Average Electric Price for Businesses](#) for the Minneapolis-St. Paul-Bloomington, MN-WI area as published on the date of the invoice)
 
$$\text{Allowable Cost} = \text{Total Cost} - (\text{Energy Used in kWh} \times \text{Average Price})$$
  - Miscellaneous operations including software fees, communications fees, insurance, customer service line, etc.
  - Charging equipment lease fees (up to 5 years after charging station is commissioned)
  - Cellular network fees, internet service fees, or other similar fees necessary to provide communication between EVSE stations (up to 5 years after charging station is commissioned)
- Administrative costs, including:
  - Administrative costs to manage the program, including the data reporting of quarterly, annual, or one-time data as required under 23 CFR 680.112
  - Cybersecurity risk assessment/audit fees
  - Letter of Credit fees

### **3.4.1 Wage Rates**

Minnesota state prevailing wage rates and federal (Davis Bacon) wage rates apply to the construction phase of the project and any physical maintenance to the charging stations. Minnesota wage rates are updated annually in November, and the federal rates are updated in January. The wage rates in effect at the time the grant agreement is signed are the ones that will apply and will be included as exhibits to the grant agreement. Applicants can find information on the current prevailing wage rates on the [Minnesota on the Department of Labor and Industry website](#). Applicants should review the Federally Funded Contracts Special Division A (Exhibit M of grant agreement), which describes the requirements for documenting compliance with these wage rates and payroll reporting required to MnDOT. Forms and resources can be found on [MnDOT's Labor Compliance Forms webpage](#). MnDOT will provide a training session for awarded grantees to review the requirements for wage rates.

### **3.5 Ineligible Costs**

Ineligible costs are expenses deemed to be ineligible by [23 CFR 680.112](#) as well as other applicable federal, state, and local laws. Ineligible costs include, but are not limited to:

- Costs incurred prior to a fully executed agreement with MnDOT
- Costs not related directly to vehicle charging

- Costs for lobbying or for the intervention in State, federal regulatory, or adjudicatory proceedings
- Costs for construction or general maintenance of building and parking facilities (if not related directly to vehicle charging)
- Costs for major grid upgrades (longer line extension or upgrades, improvements to offsite power generation, bulk power transmission, or substations)
- Cost of any equipment that supports only non-NEVI ports
- Portion of the cost of any shared equipment that supports both NEVI and non-NEVI ports that is beyond the eligible amount
- Level 2 chargers
- Utility service upgrade costs covered by the utility
- Costs covered by programs or tariff rules of the electric utilities
- Costs for demand charges up to the average cost of electricity during the quarterly invoice periods
- Costs for research projects
- Indirect costs

## 4.0 Project Requirements

### 4.1 Federal Project Requirements

The NEVI Formula Program aims to establish a network of DCFC infrastructure consisting of sites with a minimum of four ports capable of continuous charging at 150 kW concurrently. These sites shall be located no farther than 50 miles apart and shall not be located more than 1 driving-mile from the AFC.

Funding for any agreement resulting from this RFP will be paid from NEVI formula funds and state funds. All applicable requirements of [Title 23 United States Code](#) of regulations and [2 CFR Part 200](#) apply to the administration of these funds, which include but are not limited to [23 CFR 680](#), the [Davis-Bacon Act](#), [FHWA Form 1273](#), the [Americans with Disabilities Act of 1990 \(ADA\)](#), [Title VI of the Civil Rights Act of 1964](#), the [National Environmental Policy Act of 1969 \(NEPA\)](#), and the [Build America, Buy America \(BABA\) Act](#). In addition to these requirements, the Grantee must comply with all other standards and requirements that may be required by federal, state, and local laws.

Projects funded under any agreement resulting from this RFP will be covered by the [Build America, Buy America \(BABA\) Implementation Plan to Enhance Buy America for Electric Vehicle \(EV\) Chargers](#). The USDOT Waiver of Buy America Requirements for De Minimis Costs and Small Grants applies to projects funded under this RFP if the total amount of Federal financial assistance applied to the project is less than \$500,000. If the project falls under the waiver because the total amount of Federal financial assistance applied to the project is below \$500,000, then the waiver would only apply to transformers, iron, steel, manufactured products, and construction materials used in the project. EVSE remain subject to the EV Chargers waiver noted above. Meaning, EVSE still have to be BABA compliant, but other iron, steel, manufactured products and construction materials are not required to be BABA complaint.

The Grantee will be required to provide at least a 10 percent contribution (Applicant Cost Share) to the overall project costs that are authorized by an agreement between the Grantee and MnDOT.



## 4.2 Priority Clusters

MnDOT has identified 14 clusters along I-94, I-35, and I-90 and one site will be funded in each cluster, pending viable applications for all locations.

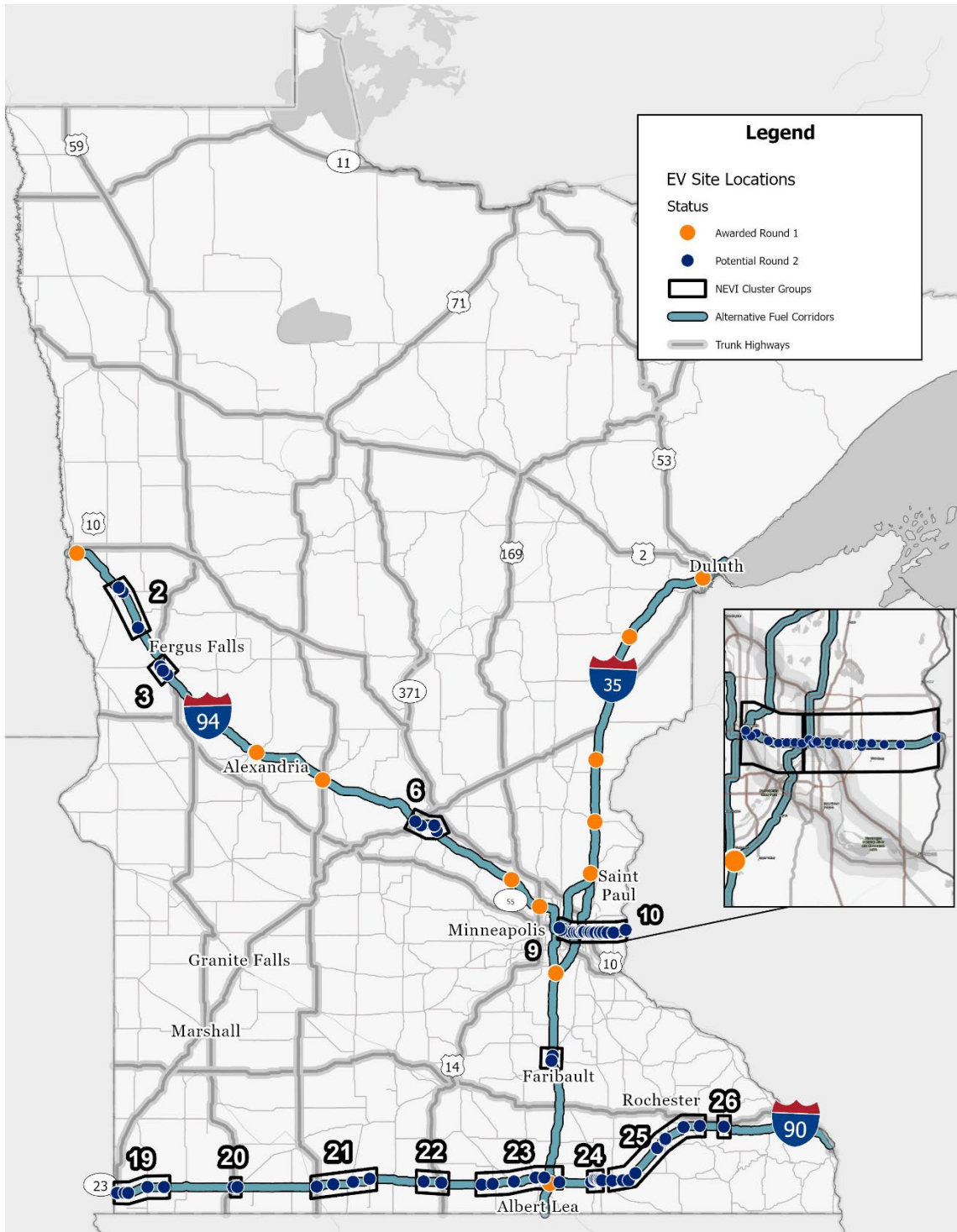


Figure 1: MnDOT AFC Corridors and Clusters for Round 2 NEVI Deployment. Cluster specific details, exits, and distances from AFC are available on the [online mapping tool](#).



AFC	Cluster #	Cluster Name	Exit Name	Exit #
I-94	2	Barnesville/Rothsay	MN-9	22
I-94	2	Barnesville/Rothsay	MN-34	24
I-94	2	Barnesville/Rothsay	Co Rd 11	38
I-94	3	Fergus Falls	MN-210	54
I-94	3	Fergus Falls	County Hwy 1/S Tower Rd	55
I-94	3	Fergus Falls	Co Hwy 1	57
I-94	6	St. Cloud	MN-23	164A/B
I-94	6	St. Cloud	MN-15	167A/B
I-94	6	St. Cloud	Roosevelt Rd	171
I-94	6	St. Cloud	Opportunity Dr	173
I-94	9	Minneapolis/St. Paul	3rd St/Washington Ave	17C
I-94	9	Minneapolis/St. Paul	Cedar Ave	234C
I-94	9	Minneapolis/St. Paul	Riverside Ave/25th Ave	235A
I-94	9	Minneapolis/St. Paul	Huron Blvd	235B
I-94	9	Minneapolis/St. Paul	Vandalia St/Cretin Ave	237
I-94	9	Minneapolis/St. Paul	MN-51/Snelling Ave	238
I-94	9	Minneapolis/St. Paul	Lexington Ave	239B
I-94	9	Minneapolis/St. Paul	Dale St	240
I-94	9	Minneapolis/St. Paul	Marion St/Kellogg Blvd	241A
I-94	10	St. Paul	I-35E NB	241C
I-94	10	St. Paul	12th St	242A
I-94	10	St. Paul	Hwy 52/6th St	242D
I-94	10	St. Paul	Mounds Blvd/Kellogg Blvd	243
I-94	10	St. Paul	Hwy 10 /Hwy 61	244
I-94	10	St. Paul	White Bear Ave	245
I-94	10	St. Paul	McKnight Rd S	246B
I-94	10	St. Paul	McKnight Rd N	246C
I-94	10	St. Paul	Century Ave	247
I-94	10	St. Paul	I-494/I-694	249

AFC	Cluster #	Cluster Name	Exit Name	Exit #
I-94	10	St. Paul	Inwood Ave/Radio Dr	250
I-94	10	St. Paul	Keats Ave/Woodbury Dr	251
I-94	10	St. Paul	Manning Ave	253
I-94	10	St. Paul	MN 95/CR 18	258
I-35	17	Faribault	Lyndale Ave S	59
I-35	17	Faribault	MN-60	56
I-90	19	Luverne	Jasper/Pipestone	1
I-90	19	Luverne	Beaver Creek	5
I-90	19	Luverne	Beaver Creek Hills	3
I-90	19	Luverne	Luverne/Rock Rapids	12
I-90	19	Luverne	Magnolia/Kanaranzi	18
I-90	20	Worthington	Slayton/Worthington	43
I-90	20	Worthington	Windom	45
I-90	21	Jackson	Jackson	73
I-90	21	Jackson	Alpha	80
I-90	21	Jackson	St. James/Sherburn	87
I-90	21	Jackson	Welcome/Ceylon	93
I-90	22	Blue Earth	Huntley/Guckeen	113
I-90	22	Blue Earth	Mankato/Blue Earth	119
I-90	23	Albert Lea	Minnesota Lake/Bricelyn	134
I-90	23	Albert Lea	Wells/Kiester	138
I-90	23	Albert Lea	Alden	146
I-90	23	Albert Lea	Waseca/Albert Lea	154
I-90	23	Albert Lea	Albert Lea	157
I-90	23	Albert Lea	Hayward	163
I-90	24	Austin	Oakland Ave	175
I-90	24	Austin	14th St NW	177
I-90	24	Austin	4th St NW	178A
I-90	24	Austin	6th St NE	178B
I-90	24	Austin	11th Dr NE	179

AFC	Cluster #	Cluster Name	Exit Name	Exit #
I-90	24	Austin	21st St NE	180
I-90	25	Stewartville	Brownsdale/Rose Creek	183
I-90	25	Stewartville	Hwy 20	187
I-90	25	Stewartville	Elkton	189
I-90	25	Stewartville	Dexter/Preston	193
I-90	25	Stewartville	Hwy 6	205
I-90	25	Stewartville	US 63 / MN 30 – Stewartville, Rochester	209
I-90	25	Stewartville	Chatfield	218
I-90	25	Stewartville	Eyota	224
I-90	26	St. Charles	St. Charles	233

## 5.0 Scope of Work and Deliverables

For detailed information, see Attachment 2 – Scope of Work and Deliverables.

## 6.0 How to Apply

### 6.1 General Application Requirements

Applicants are responsible for conducting their due diligence, including understanding all terms and conditions of the documents and applicable federal, state, and local laws. **It is recommended that Applicants thoroughly review the reference documents listed in Section 2.2, Reference Documents.** Questions should be submitted to MnDOT according to the instructions in this RFP.

### 6.2 Application Contents

To apply, submit the following application materials, which can be found at <https://www.dot.state.mn.us/nevi/>. Each application must include the following, completed attachments and documents, as described in this RFP and in the format identified:

1. Attachment 3 – Signed Technical Application Form, including all required information
  - Includes Affidavit of Non-Collusion
  - Includes Conflict of Interest Checklist and Disclosure Form
  - All contents in Searchable PDF format
2. Attachment 4 – Signed Cost Proposal Form (XLSX format)
3. Signed letter from the Site Owner (Searchable PDF format)
4. Acknowledgement of Federal Form 1273 (Searchable PDF format)
5. Acknowledgement of all issued addendums (format to be detailed in addendum)

**It is important to note that all submitted PDFs shall be searchable and not obfuscated, including images from scanned print-offs. Any application that contains a PDF that is obfuscated and not searchable may be deemed non-responsive.**

### **6.2.1 Technical Application Form**

Applicants must complete each section of Attachment 3, Technical Application Form, and provide all required information and documents. No macros are allowed. The minimum font size is 10-point font. The page size shall be 8.5 x 11 inches. Larger 11 x 17-inch pages are allowed for drawings or graphics and will count for two pages. The maximum number of pages shall be 30 pages including text, graphics, tables, charts, and photographs. Resumes for key personnel may be attached to the form. Resumes shall be limited to two pages per resume. Resumes do not count toward the 30-page limit. No more than five resumes are permitted per application. Technical specification cut sheets do not count toward the 30-page limit.

### **6.2.2 Cost Proposal Form**

Applicants must provide a completed Attachment 4, Cost Proposal Form. An Applicant must enter the required information in the Cost Proposal Form and shall not change any formula within the form. The Cost Proposal Form will calculate the Applicant's Maximum Total Project Reimbursement and will be used to establish the maximum budget for the project. Within Attachment 4, each Applicant is required to follow the instructions in the attachment and provide the following:

- The Requested Reimbursement (%) for capital costs, which shall not exceed 90 percent
- The Requested Reimbursement (%) for O&M costs, which shall not exceed 90 percent
- The Project Costs for each cost item, as identified in Attachment 4. Costs shall include only items eligible under the NEVI program as defined in Section 3.4, Eligible Costs

### **6.2.3 Letter from the Site Owner**

The Applicant shall ensure public access to the proposed site 24 hours a day, 7 days a week, throughout the year, for the life of the Agreement, per [23 CFR Part 680](#). This shall include any property required for ingress and egress. A letter from the proposed site's owner must be provided by each Applicant.

The Letter must clearly state the following:

- The proposed site will be available to the Applicant for the entire length of the proposed Agreement for the purpose of acquiring, constructing, installing, operating, and maintaining an EV charging station in accordance with 23 CFR 680 and all applicable laws and regulations.
- The proposed site will be accessible 24 hours a day, 7 days a week, throughout the year, for the life of the agreement, including any ingress.
- The proposed site will be accessible to the Applicant, MnDOT, and their agents for the entire length of the Agreement.
- Signed by the site host or include proof of existing permission (signed lease, etc.)

MnDOT reserves the right to determine the sufficiency of the Letter. The Letter from the Site Owner will not be scored, but will be part of the administrative responsiveness check.

### **6.2.4 Affidavit of Non-Collusion**

Applicants must complete the attached "Affidavit of Non-Collusion" and submit it as part of the application. This is included within Attachment 3 – Technical Application Form. The Affidavit of Non-Collusion will not be scored but will be part of the non-technical responsiveness check.

### **6.2.5 Conflicts of Interest**

In order to comply with Minnesota Office of Grant Management (OGM) [Policy 08-01](#) on conflict of Interest, each selected grantee must fill out an organizational conflict of interest form. Applicants must

provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this RFP. This list should indicate the name of the entity, the relationship, and a discussion of the conflict. Applicants must complete the attached Conflict of Interest Checklist and Disclosure Form (part of Attachment 3, Technical Application Form) and submit it as part of the application. The Conflict of Interest Checklist and Disclosure Form will not be scored but will be part of the non-technical responsiveness check.

### 6.3 Application Timeline

The timeline below outlines the activities and corresponding dates that all Applicants must meet. MnDOT may update this timeline and will notify participants by posting an addendum on <https://www.dot.state.mn.us/nevi/>. It is the Applicant’s responsibility to refer to <https://www.dot.state.mn.us/nevi/> on a regular basis for such updates.

Applications received after the deadline will be deemed ineligible and will not be reviewed. Incomplete applications may be disqualified from consideration. MnDOT is not responsible for any errors or delays caused by technical difficulties resulting from submitting applications.

ACTIVITY	DATE	TIME	DETAILS
RFP Advertisement	October 14, 2024	NA	<a href="https://www.dot.state.mn.us/nevi/">https://www.dot.state.mn.us/nevi/</a>
Questions due	Rolling Window, October 14 – December 20, 2024	5pm CT, December 20, 2024	Email to: <a href="mailto:neviproject.dot@state.mn.us">neviproject.dot@state.mn.us</a>
Answers posted	Weekly on Tuesdays, October 22, 2024 – December 24, 2024	NA	<a href="https://www.dot.state.mn.us/nevi/">https://www.dot.state.mn.us/nevi/</a>
Applications Due	January 13, 2025	12pm CT	<a href="https://www.dot.state.mn.us/nevi/">https://www.dot.state.mn.us/nevi/</a>
Conditional Award date (anticipated)	90 Days after Application Window Closes		<a href="https://www.dot.state.mn.us/nevi/">https://www.dot.state.mn.us/nevi/</a> and Email
Execution of agreement (anticipated)	60 Days after Conditional Award Date		To be detailed in Conditional Award Notice

### 6.4 Questions

Responders who have any questions regarding this RFP must submit questions by e-mail only to:

Contract Administrator: Kacie Stanek  
 E-Mail Address: [neviproject.dot@state.mn.us](mailto:neviproject.dot@state.mn.us)

Questions should be addressed via email with the following information.

- RFP Document Name
- RFP Document Section #

- RFP Document Page #
- Question

All questions and answers will be posted at <http://www.dot.state.mn.us/nevi/>. All prospective responders will be responsible for checking the web page for any addendums to this RFP and any questions that have been answered. **Note that questions will be posted verbatim as submitted.**

No other MnDOT personnel are allowed to discuss the RFP before the proposal submission deadline. Contact regarding this RFP with any personnel not listed above may result in disqualification.

MnDOT reserves the right to amend this RFP at any time by addendum. If the addendum is issued after the closing date for receipt of applications, MnDOT may, in its sole discretion, allow Applicants to amend their project applications in response to the addendum, if necessary. Applicants shall acknowledge all addendums in writing, per the instructions included in the addendums. Failure to review and acknowledge all addendums may be grounds for rejection of an application and may be deemed non-responsive.

Any person requiring this document in an alternative format (such as braille, large print, or in a different language) can receive it at no cost. Please email your request to [Accessibility.DOT@state.mn.us](mailto:Accessibility.DOT@state.mn.us) or call 1-833-400-8432. Relay service: 711.

Any person requiring a special accommodation due to a disability should contact MnDOT by email at [ADArequest.dot@state.mn.us](mailto:ADArequest.dot@state.mn.us) for assistance with this RFP at least 5 business days prior to the activity or action for which assistance is needed.

## **6.5 Application Submittal**

All applications will be submitted electronically at <http://www.dot.state.mn.us/nevi/>.

For electronic submission, all applications are limited to 50 MB.

### **In addition, all Applicants must Register as Vendors in Statewide Integrated Financial Tools (SWIFT).**

The Vendor ID must belong to the applicant. It will be included on the RFP application document to track the application through the scoring process. It will also be used for processing invoices and payments for grantees. If the grant applicant already has a SWIFT Vendor ID, you do not need to register again. Navigate to the [Supplier Portal Vendor Registration website](#) to register as a vendor.

## **6.6 Application Amendment or Withdrawal**

If an applicant wants to withdraw or amend an application, email the Contract Administrator as outlined in Section 6.4, Questions. Applicants will then need to re-submit the entire application through the entire application process.

## **6.7 MnDOT Discretion**

MnDOT reserves the right to reject any or all applications at any time prior to the execution of an agreement. MnDOT is not obligated to fund an application from an Applicant that has demonstrated marginal or unsatisfactory performance on previous competitive selections or contracts with MnDOT or other state agencies. MnDOT reserves the right to verify information contained in the application. This may include using publicly available information and other outside sources to evaluate the Applicant's performance under other contracts.

## **6.8 Disqualification of Applications**

MnDOT may outright reject or may not evaluate applications for any of the following reasons:

- The Applicant fails to submit the application by the due date and time
- The Applicant acknowledges that a requirement of the application cannot be met
- The Applicant materially changes a requirement of this RFP, or the application is not compliant with the requirements of this RFP
- The application limits the rights of MnDOT
- The Applicant fails to submit a timely response to MnDOT's request for information, documents, or references
- The Applicant fails to include an authorized signature
- The Applicant presents the information requested by this RFP in a format inconsistent with the instructions of the RFP or otherwise fails to comply with the requirements of the RFP, including but not limited to failing to provide all required information
- The Applicant provides misleading or inaccurate responses
- The application includes conditional offers or non-committal language
- There is insufficient evidence (including evidence submitted by the Applicant) to satisfy MnDOT that the Applicant is properly qualified to meet the requirements of this RFP or the application
- The proposed project(s) are not in compliance with applicable state or federal statutes or rules

## **6.9 Process for Clarification of Application Information**

MnDOT reserves the right to contact an Applicant after the submission of an application for the purpose of clarifying the application to ensure mutual understanding. MnDOT will not consider information received if the information materially alters the content of the application or alters the type of project the Applicant is proposing. Failure to comply with requests for additional information may result in rejection of the application as non-compliant.

## **6.10 Disposition of Applications and Copyrights**

All applications become MnDOT property and will not be returned to the Applicant at the conclusion of the selection process. Contents of all applications will be in the public domain and open for inspection by interested parties.

The Applicant agrees that MnDOT may copy the application for purposes of facilitating the evaluation of the application or to respond to requests for public records. By submitting an application, the Applicant consents to such copying and warrants that such copying will not violate the rights of any third party.

## **6.11 Public Data**

Per [Minnesota Statute § 13.599](#):

- Names and addresses of Applicants will be public data once application responses are opened.
- All remaining data in application responses (except trade secret data as defined and classified in [§13.37](#)) will be public data after the evaluation process is completed (for the purposes of this grant, when all grant agreements have been fully executed).
- All data created or maintained by MnDOT as part of the evaluation process (except trade secret data as defined and classified in § 13.37) will be public data after the evaluation process is complete (for the purposes of this grant, when all grant agreements have been fully executed).
- Responses to this RFP will be public information under the Minnesota Data Practices Act,



## 7.0 Evaluation of Applications

### 7.1 Evaluation Process

MnDOT will use the following process to evaluate applications.

#### 7.1.1 Step 1: Responsiveness Check

All applications will be reviewed for responsiveness (Responsiveness Check) to confirm the application meets the RFP requirements. The Responsiveness Check is a two-step, pass/fail assessment. The first step is an Administrative Responsiveness Check. Applications that fail the Administrative Responsiveness Check will be determined to be non-responsive and will not be evaluated further. If an Applicant or application fails to meet one or more of the requirements detailed in Attachment 3, Technical Application Form, it may be determined to be non-responsive.

The second step is a Technical Responsiveness Check. Applications that fail the Technical Responsiveness Check will be determined to be non-responsive and will not be evaluated further. If an Applicant or application fails to meet one or more of the requirements detailed in Attachment 3, Technical Application Form, it may be determined to be non-responsive.

All requirements can be found in Attachment 3, Technical Application Form.

#### 7.1.2 Step 2: Technical Application Scoring Criteria and Evaluation

For the purpose of evaluating technical applications, MNDOT will establish a Review Committee made up of no less than three members. Applications that pass the Responsiveness Check will be evaluated and scored individually by each Review Committee member on a competitive basis according to the scoring criteria and point maximums provided in the table below.

TECHNICAL SCORING CRITERIA		MAXIMUM POINTS POSSIBLE (175 TOTAL)
1. Applicant Background, Experience, and Team Organization	Evaluation Considerations	40
<p><b>Applicant Team Organization:</b> Describe the Applicant team organization per Attachment 3, Technical Application Form.</p>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> <li>• Identification of team members with <b>proven</b> prior experience in all of the roles outlined in Attachment 3, Section 4</li> <li>• Team members that have <b>completed</b> projects with similar requirements</li> <li>• Team members that have <b>completed</b> work in Minnesota previously</li> <li>• Organizational chart that clearly outlines the relationship between different team members as well as</li> </ul>	20

TECHNICAL SCORING CRITERIA		MAXIMUM POINTS POSSIBLE (175 TOTAL)
	clearly outlines roles and responsibilities	
<b>Prior Experience with Title 23 funding and Federal Programs:</b> Describe the Applicant team experience with Title 23 funding and Federal programs.	Evaluators will consider the following: <ul style="list-style-type: none"> <li>• Identification of responsible team members</li> <li>• Examples of relevant projects that have been completed demonstrating experience and understanding</li> </ul>	2
<b>Prior Experience with Davis-Bacon Act compliance:</b> Describe the Applicant team experience with Davis-Bacon Act compliance.	Evaluators will consider the following: <ul style="list-style-type: none"> <li>• Identification of responsible team members</li> <li>• Examples of relevant projects that have been completed demonstrating experience and understanding</li> </ul>	2
<b>Prior Experience with Build America, Buy America Act compliance:</b> Describe the Applicant team experience with Build America, Buy America Act compliance.	Evaluators will consider the following: <ul style="list-style-type: none"> <li>• Identification of responsible team members</li> <li>• Examples of relevant projects that have been completed demonstrating experience and understanding</li> </ul>	2
<b>Prior Experience with State Funded Government Projects:</b> Describe the Applicant team experience with State Funded Government Projects.	Evaluators will consider the following: <ul style="list-style-type: none"> <li>• Identification of responsible team members</li> <li>• Examples of relevant projects that have been completed demonstrating experience and understanding</li> </ul>	2
<b>Prior Experience with 2 CFR 200 grant requirements:</b> Describe the Applicant team experience with complying with 2 CFR 200 grant requirements.	Evaluators will consider the following: <ul style="list-style-type: none"> <li>• Identification of responsible team members</li> <li>• Examples of relevant projects that have been completed demonstrating experience and understanding</li> </ul>	2
<b>Approach to Project Management:</b> Describe the approach to project management per Attachment 3, Technical Application Form.	Evaluators will consider the following: <ul style="list-style-type: none"> <li>• Identification of responsible team members</li> <li>• Descriptions of commitments and actions already taken</li> </ul>	5

TECHNICAL SCORING CRITERIA		MAXIMUM POINTS POSSIBLE (175 TOTAL)
<p><b>Prior Experience with 50 kW or higher Port Past Projects:</b> Provide prior EVSE experience per Attachment 3, Technical Application Form.</p> <ul style="list-style-type: none"> <li>• 5 points for 16+ projects</li> <li>• 3 points for 11–15 projects</li> <li>• 1 points for 1–10 projects</li> <li>• 0 pts for 0 Projects</li> </ul>		5
<b>2. General Project Approach and Understanding</b>		<b>36</b>
<p><b>Project Approach and Understanding:</b> Describe the project approach and understanding per Attachment 3, Technical Application Form.</p>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> <li>• Identification of responsible team members</li> <li>• Descriptions of commitments and actions already taken</li> <li>• Clear understanding of basic NEVI requirements outlined in 23 CFR 680</li> <li>• Clear understanding and approach to managing reporting and submittals, including required grant reporting and other federal requirements such as EV-ChART reporting, Davis Bacon Act, Build America, Buy America Act, etc.</li> <li>• Detailed and realistic project schedules that include tasks outlined in the Scope of Work</li> <li>• EVSE that exceeds basic NEVI requirements, providing additional power, ports, and operational range.</li> </ul>	9
<p><b>Approach to Permitting and Utility Coordination:</b> Describe the approach to permitting and utility coordination per Attachment 3, Technical Application Form.</p>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> <li>• Identification of responsible team members for each activity</li> <li>• Identification of required permits</li> <li>• Proof of coordination/outreach to permitting agencies and utilities</li> <li>• Descriptions of commitments and actions already taken</li> </ul>	9

TECHNICAL SCORING CRITERIA		MAXIMUM POINTS POSSIBLE (175 TOTAL)
<p><b>Approach to Operations and Maintenance:</b> Describe the approach to operations and maintenance per Attachment 3, Technical Application Form.</p>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> <li>• Identification of responsible team members for each key O&amp;M activity and whether that team member is on-site, on-call, or remote</li> <li>• Descriptions of O&amp;M approach to hardware (cables, connectors, etc.), software (updates), EVSO network, communications, and the site (trash removal, snow removal, light replacement, bathroom cleaning, etc.)</li> <li>• Descriptions of scheduled and emergency maintenance, including any service level agreements</li> <li>• Frequency of scheduled maintenance</li> <li>• Description of factors that go into establishing prices and identified price or price range</li> <li>• Descriptions of commitments and actions already taken</li> </ul>	<p>9</p>
<p><b>Approach to Cybersecurity and Data Management:</b> Describe the approach to cybersecurity and data management per Attachment 3, Technical Application Form.</p>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> <li>• Identification of responsible team members for each key cybersecurity activity</li> <li>• Identification of any existing or planned third-party certifications and clarification if they are for the site operator and/or the EVSP network operator</li> <li>• Description of compliance with Payment Card Industry requirements</li> <li>• Description of Cybersecurity Event Management Team and notification process including identification of responsible team member</li> <li>• Description of approach to addressing findings identified in risk assessments or SOC2 audits</li> <li>• Description of cybersecurity approach for both local site and EVSP network</li> </ul>	<p>9</p>

TECHNICAL SCORING CRITERIA		MAXIMUM POINTS POSSIBLE (175 TOTAL)
	<ul style="list-style-type: none"> <li>• Description of physical and on-site security as it relates to cybersecurity</li> <li>• Description of approach to cybersecurity training</li> </ul>	
<b>3. Site Proposal</b>		<b>65</b>
<p><b>Proposed Site Details, Design, Layout, and Area Map:</b> Describe the proposed site details, design, and layout and provide an area map. Identify each item clearly in a Preliminary Site Design and Layout or the Area Map as described in Attachment 3, Technical Application Form.</p> <ul style="list-style-type: none"> <li>• 5 pts for ease of entry, access, and visibility from the main road directly off the AFC</li> <li>• 5 pts for site safety, ease of navigation for pedestrians on the site, signage, lighting, striping of walkways, security, cameras, etc.</li> <li>• 5 pts for existing and proposed site characteristics, including hours of access to bathrooms, food, drink, and amenities, as well as quality of amenities</li> <li>• 5 pts for site layout for ease of EVs getting around the site, pull-through islands, siting and protection of equipment, oversize spaces vs. normal spaces, no one way directions, etc.</li> </ul>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> <li>• Clarity of description and visualization of site details, characteristics, and amenities</li> <li>• Quality of site details, characteristics, and amenities</li> </ul>	20

TECHNICAL SCORING CRITERIA		MAXIMUM POINTS POSSIBLE (175 TOTAL)
<p><b>Access to Restrooms:</b></p> <ul style="list-style-type: none"> <li>Hours of availability: <ul style="list-style-type: none"> <li>Available 24/7: 5 points</li> <li>Available 12-23 hours per day: 2 points</li> </ul> </li> <li>Walking Distance to EVSE: <ul style="list-style-type: none"> <li>Within 500 ft: 5 points</li> <li>Within 750 ft: 2 points</li> </ul> </li> </ul>		10
<p><b>Access to Food and Drink:</b></p> <ul style="list-style-type: none"> <li>Hours of availability: <ul style="list-style-type: none"> <li>Available 24/7: 5 points</li> <li>Available 12-23 hours per day: 2 points</li> </ul> </li> <li>Walking Distance to EVSE <ul style="list-style-type: none"> <li>Within 500 ft: 5 points</li> <li>Within 750 ft: 2 points</li> </ul> </li> </ul>		10
<p><b>Primary Amenities:</b> 5 points for each of the following publicly and ADA -accessible applicable items within a 500-foot pedestrian travel distance.</p> <ul style="list-style-type: none"> <li>On-site staff that can serve as a point of contact for EVSE and are trained to help troubleshoot EVSE issues</li> <li>Canopy over EVSE</li> <li>Pull-through charging location for trucks and trailers</li> </ul>		15

TECHNICAL SCORING CRITERIA		MAXIMUM POINTS POSSIBLE (175 TOTAL)
<p><b>Secondary Amenities:</b> 2 points for each of the following publicly and ADA -accessible applicable items within a 500-foot pedestrian travel distance.</p> <ul style="list-style-type: none"> <li>• On-site retail</li> <li>• On-site restaurant</li> <li>• Extra parking spaces for overflow/waiting</li> </ul>		6
<p><b>Additional Amenities:</b> 1 point for each of the following publicly and ADA -accessible applicable items within a 500-foot pedestrian travel distance.</p> <ul style="list-style-type: none"> <li>• Designated and signed pet area/dog run</li> <li>• Squeegee</li> <li>• Designated and signed Playground/recreation area</li> <li>• Benches/seating area</li> </ul>		4
<b>4. Resiliency</b>		<b>18</b>
<p><b>Resiliency:</b> 2 points for each of the following criteria.</p> <ul style="list-style-type: none"> <li>• Back-up power (contract, batteries, generator, etc.)</li> <li>• Energy storage (batteries, solar, etc.)</li> <li>• Environmental hardening to protect equipment (raised equipment, undergrounding of feed lines/conduit to site, etc.)</li> <li>• Future proofing (installation of larger transformer, installation of extra conduit, etc.)</li> </ul>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> <li>• Identification and description of proposed site elements to improve site resiliency</li> </ul>	8
<p><b>Output Voltage Range:</b> 5 points if EVSE is capable of providing DC output voltages over the entire range of 250–920 volts (VDC).</p>		5



TECHNICAL SCORING CRITERIA		MAXIMUM POINTS POSSIBLE (175 TOTAL)
EVSE Operating Temperature: 5 points if EVSE is capable of operating below -23 degrees Fahrenheit.		5
<b>5. Workforce and Justice40 (J40) Considerations</b>		<b>16</b>
<b>Approach to Workforce:</b> Describe the approach to workforce per Attachment 3, Technical Application Form.	Evaluators will consider the following: <ul style="list-style-type: none"> <li>• Identification of responsible team members for each activity</li> <li>• Identification of subcontractors with required workforce qualifications</li> <li>• Identification and discussion of approach to achieving EVITP certification for workforce</li> <li>• Identification and discussion of leveraging of local workforce training programs</li> <li>• Descriptions of commitments and actions already taken</li> </ul>	2
<b>Project is located within 1 mile of CEQ EJ Census Tract</b> as noted in the MnDOT NEVI <a href="#">online mapping tool</a> .	Evaluators will consider the following: <ul style="list-style-type: none"> <li>• Location relative to the CEQ EJ Census tract layer included in the MnDOT NEVI <a href="#">online mapping tool</a>.</li> </ul>	4
<b>Multifamily Dwelling Residents or Car-Share Programs:</b> Describe if the proposed location might serve multifamily dwelling residents or car-share programs per Attachment 3, Technical Application Form.	Evaluators will consider the following: <ul style="list-style-type: none"> <li>• Number and proximity of multi-family dwelling units and car-share program locations to project site</li> </ul>	5
<b>Project will use small businesses as defined in Attachment 3, Technical Application Form.</b>	Evaluators will consider the following: <ul style="list-style-type: none"> <li>• Number of small businesses identified and clearly incorporated into project team and organizational chart</li> <li>• Descriptions of commitments and actions already taken</li> </ul>	5

The Technical Score will be calculated by averaging the total scores from each Review Committee Member. MNDOT reserves the right to conduct consensus meetings during the evaluation process.

**7.1.3 Step 3: Cost Proposal Evaluation**

The Cost Score for each Cost Proposal will be calculated according to the formula detailed below.

SCORING CRITERIA – COST PROPOSAL	MAXIMUM POINTS POSSIBLE
<b>Cost Proposal</b>	<b>25</b>
<p>The cost proposal will be evaluated based on the Applicant’s Maximum Total Project Reimbursement, as calculated and defined in Attachment 4, Cost Proposal.</p> $\text{Cost Score} = \frac{\text{Lowest Maximum Total Project Reimbursement from all Responsive Applicants per Cluster}}{\text{Maximum Total Project Reimbursement from Applicant}} \times 25$	25

**7.1.4 Step 4: Score Tabulation**

The final score for each responsive application will be calculated by adding the technical score to the cost score. The maximum final score for any application is 200 points. Applications will be evaluated on a per cluster basis, and the highest scoring application within each cluster will be selected. The Review Committee will finalize all award recommendations. The program manager will draft a recommendation report of grant award(s) and submit the report to the office director for approval prior to notifying Applicants.

If two sites in the same cluster have the same score, the site with the highest combined cost proposal score and site proposal score will be awarded. MnDOT has final decision-making authority to award an Agreement to the selected Applicants.

**7.1.5 Step 5: Award**

MnDOT will notify successful Applicants via email and will post the intent to award on <https://www.dot.state.mn.us/nevi/>. An Agreement may be awarded to a responsive application that has been approved by the Review Committee.

**7.2 Application Irregularities and Clarifications**

MNDOT has the authority to reject any or all applications and to waive or allow corrections of any minor irregularity or non-material omission. MnDOT can request clarifications from Applicants and the answers must be provided in the format detailed and deadline provided by MnDOT. Applicant’s answers and clarifications will become part of the application.

**8.0 Award**

**8.1 Pre-Award Activities**

The Applicant shall participate in the following pre-award activities after the Notice of Intent to Award has been provided to the Applicant. Applicants have 60 days from conditional award notice to provide documents sufficient to complete pre-award activities. If sufficient documents have not been submitted within 60 days of conditional award notice, MnDOT reserves the right to withdraw a conditional award.

**8.1.1 Pre-Award Audit**

Successful Applicants with proposed costs exceeding \$50,000 will be required to submit pre-award audit information and comply with audit standards. Pre-award audit will ensure the Applicant has an acceptable accounting system, adequate and proper justification for rates charges to perform work,

knowledge of cost eligibility, and documentation and file retention requirements. Failure to do so may result in disqualification. If the Applicant is a governmental entity, that entity is not required to submit for a pre-award audit. If the Applicant's subcontractor/subconsultant costs exceed \$10,000 or more, the subcontractor must also complete a pre-award audit. The pre-award audit applies to both for-profit and non-profit entities. Applicants must submit the following documents:

- Detailed budget for each site conditionally awarded
- Independent auditors report on financial statements and accompanying management letter
- OR most current financial statements, including:
  - Balance sheet
  - Income statement
  - Profit & loss statement
- Copy of the most recent federal and state tax returns
- Certification: No conviction of felony financial crime by a principal.
  - Under MN 16B.981 Subd. 2(6), potential grantees must certify that no current principal of their organization has been convicted of a felony financial crime in the last 10 years.
- Certification: Not under bankruptcy proceedings.
  - Under MN 16B.981. Subd. 2(3), potential grantees from *for profit* organizations must certify that their business is not under bankruptcy proceedings.

#### **8.1.2 Pre-Award Risk Assessment**

The Applicant must work with the program manager to complete a pre-award risk assessment prior to executing the Agreement. This includes, but is not limited to, Applicant's experience managing federally funded grants, legal assessment and status, accounting systems and internal controls, financial assessment, and monitoring/audit findings. Risk assessments are valid for 12 months, so repeat Grantees do not require an additional risk assessment if one has been performed within the last 12 months. The program manager will use the results of the pre-award risk assessment to determine the appropriate level of monitoring. Any additional monitoring requirements will be added to the Scope of Work and Deliverables before execution of the Agreement.

#### **8.1.3 Letter of Credit**

- The letter of credit shall include all language provided in Attachment 8, Example Letter of Credit, and shall have an effective date no sooner than the date of execution of the Agreement.
- Grantees awarded multiple projects may combine amounts into one letter of credit.

#### **8.1.4 Signed letter of support from the Utility**

- The letter shall state that the utility company serving the proposed site is able to provide the necessary power within a reasonable timeline.

#### **8.1.5 Certificates of Insurance**

- Certificates of insurance shall include all details provided in Attachment 6, Grant Agreement.

#### **8.1.6 Any additional certificates or documents deemed necessary by MnDOT**

### **8.2 Execution of Agreement**

After the pre-award activities have been completed, the program manager will send the Agreement to the Applicant. The Applicant shall sign the Agreement within 30 calendar days of receipt of the Agreement. If the Agreement is not signed within 30 days of MnDOT's request for final signature, MnDOT reserves the right to withdraw the conditional award.

**It should be noted that the Applicant cannot incur or agree to the payment of any costs to be requested for reimbursement prior to the execution of the Agreement.**

Once the Applicant has provided the required documents outlined above, MnDOT will sign the Agreement and the project will be considered funded and has commenced.

## **9.0 Post-Award**

### **9.1 Reimbursement Mechanism**

Grantees will be eligible to submit invoices for reimbursement in accordance with the requirements.

#### **9.1.1 Quarterly Construction Payments**

Cost reimbursement may be invoiced quarterly upon compliance with the applicable reporting requirements of Task 5, as detailed in Attachment 2, Scope of Work and Deliverables. Supporting documentation of actual costs incurred is required, including invoices and proof of payment for reimbursement of costs already paid by the Grantee.

#### **9.1.2 Construction Payment Withholding**

MnDOT will withhold 20 percent of each reimbursement invoice. Of this withholding, 20 percent will be released on an annual basis at the time of the final O&M payment of the year, if all performance requirements and obligations of the Agreement are met.

#### **9.1.3 Quarterly O&M Payments**

Cost reimbursement may be invoiced for quarterly O&M costs upon quarterly compliance with and completion of Tasks 4 and 5, as detailed in Attachment 2, Scope of Work and Deliverables. Supporting documentation of actual costs incurred is required.

#### **9.1.4 Final Payment and Release of Withholdings**

Cost reimbursement may be invoiced for the final quarter of O&M costs and all remaining withholding upon quarterly compliance with and completion of Tasks 4, 5, and 6, as detailed in Attachment 2, Scope of Work and Deliverables. Supporting documentation of actual costs incurred is required. MnDOT will only pay up to the Maximum Total Project Reimbursement detailed in the Cost Proposal Form during the application process, and all costs will be finalized in the final Agreement.

### **9.2 Pay for Performance**

Additionally, a pay-for-performance approach shall be incorporated into the payment mechanism, incentivizing optimal performance of the charging stations, specifically meeting the 97 percent uptime requirement, per port, as required by [23 CFR 680](#).

- 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.
  - If there is no remaining O&M payment for the deduction to be subtracted from, the amount will be deducted from the remaining withholding.
  - Once deducted, the funds can never be reclaimed.

### 9.3 Reasonable Return on Investment

The following applies only for the life of the Agreement and is limited to the actual Total Project Reimbursement. Per question [6.4 in the NEVI Formula Program Q&A](#) and [23 CFR 680.106\(m\)2ii](#), the Awardee can make a Reasonable Return on Investment on the charging station (project). Reasonable Return on Investment on the charging station is determined by the State as no more than 15 percent total profit on the project over the life of the project agreement after the Awardee has recouped all project related expenses. This applies only to income received from EV charging.

The profit is calculated once at the end of the project and does not extend beyond the life of the project agreement. Profit is defined as the remainder of all revenue received from the operation of the EV charging and reimbursements from MNDOT (Revenue) after all eligible expenses, including reimbursable and non-reimbursable expenses, have been deducted.

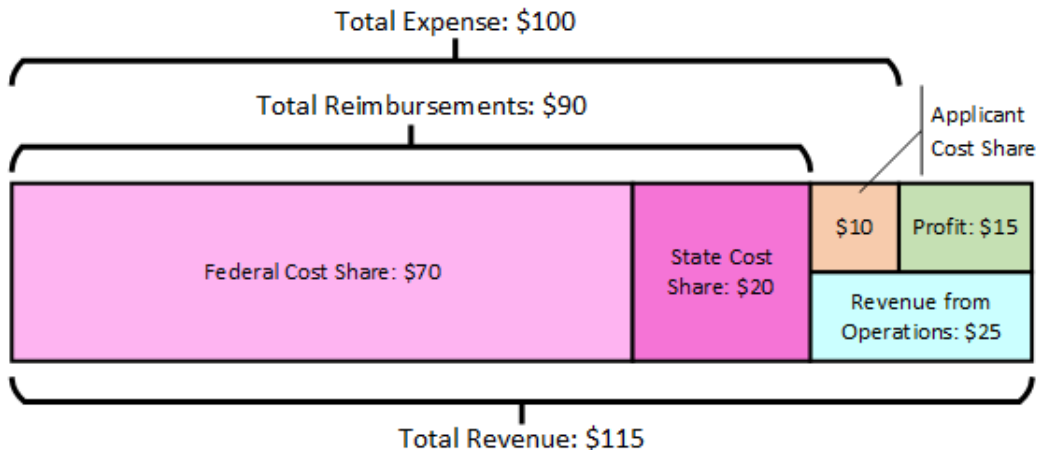
$$Profit \% = \frac{(Revenue\ from\ Operations + Reimbursements) - Eligible\ Expenses}{Eligible\ Expenses} \times 100\%$$

**Revenue:** Revenue received from the operation of the project and reimbursements over the life of the project agreement.

**Eligible Expense:** Includes all reimbursed and non-reimbursed eligible expenses the Awardee has incurred over the life of the project agreement. This includes the Applicant Cost Share.

Any profit over 15 percent must be returned to MNDOT. The amount that would have to be returned is capped at the actual Total Project Reimbursement amount. The Awardee shall provide a signed letter with the final invoice stating the amount of profit earned. MNDOT may ask for the Awardee to provide documentation as to the amount of profit earned.

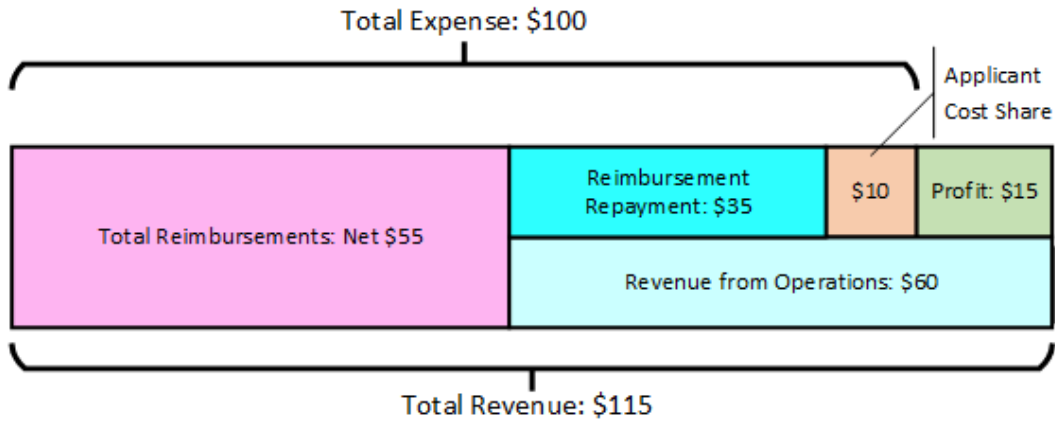
In the example below, the Awardee receives \$25 in revenue from EV Charging Operations. The total eligible expenses for the Project equals \$100. This includes both reimbursable and non-reimbursable expenses. The Awardee is reimbursed 90% of their total eligible expenses, equaling \$90. The total reimbursement comprises of \$70 in federal cost share and \$20 in state cost share. In this example, the Applicant Cost Share is \$10. In addition to making back their Applicant Cost Share of \$10, the Awardee is able to make an additional \$15 in profit. If the Awardee makes more than \$15 in profit, the amount above \$15 would be subtracted from the final withholding amount.



The numbers from the illustration above would be computed into the formula above as follows:

$$15 \% = \frac{(\$25 + \$70 + \$20) - \$100}{\$100} \times 100\%$$

As a second example, if the Awardee makes \$60 in revenue from operations and the Awardee received \$90 in reimbursements, the Awardee would repay \$35 of the total reimbursements received. They would keep the remaining \$25 of the revenue from operations. This would result in a profit of \$15.



As a third example, if the Awardee makes \$125 in revenue from operations and the Awardee received \$90 in reimbursements, the Awardee would repay all \$90 of reimbursements received. They would keep the remaining \$35 of the revenue from operations. This would result in a profit of \$25. At this point they would be no longer subject to the 15% profit cap.

