

PennDOT EVC-RAA Technical Questions and Responses

Updated July 25, 2024

NEW QUESTION: If an eligible location already has four charging ports and one ADA parking space is the Project required to include adding an additional ADA parking space?

Response: No, if site disturbance would otherwise not be required as part of the Project activities to bring the eligible location into compliance with 23 CFR 680, then adding the second ADA parking space is not required. If the Project activities will include site disturbance as part of achieving compliance with 23 CFR 680 then the Project must comply with the two ADA parking spaces requirement.

Eligible EVC-RAA Projects:

Question: If the charger(s) at one of the 174 eligible locations are now fully removed is the location still eligible for EVC-RAA funding?

Response: Yes, a charger that is no longer present on the property is considered to meet the definition of “Broken or Non-operational”, therefore making the location eligible to propose a Project. However, if the charger was replaced with a charger that currently operates as intended then the location would not be eligible.

Question: If there are multiple listed eligible AFDC IDs at the same address can a Prospective Contractor propose combining them into a single charging station that meets the minimum requirements of 23 CFR 680, including a minimum of 4 charging ports?

Response: Yes. In this situation, a Prospective Contractor may propose a Project using one of the eligible AFDC IDs associated with the address and describe how the chargers associated with the other AFDC IDs will be repaired or replaced as part of the Project.

Question: May a Prospective Contractor plan to remove the Broken or Non-operational charger(s) and install new chargers at a different location on the same property?

Response: Yes, the charger(s) may be moved to a different location on the property or replaced with new chargers at a different location on the property, if doing so is the most cost-effective way to meet the requirements of 23 CFR 680. The new location must be on the same property.

North American Charging Standard (NACS) Questions:

Question: Are permanently attached NACS connectors and/or adapters considered an eligible program expense?

Response: Section II Paragraph C. Eligible and Ineligible Costs of the EVC-RAA Funding Opportunity includes the following within eligible costs, “Costs for additional permanently attached non-proprietary charging connectors, excluding the CHAdeMO connector, so long as each Charging Port has a SAE J1772

or CCS connector” and the following within ineligible costs, “Costs for any CHAdeMO connectors, proprietary connectors, and any charging plug type adapters.”

Therefore, after NACS is officially a standardized connector type, a NACS connector will be an eligible cost, but all adapters are ineligible costs. Note that a separate cable is not necessarily required for an attached plug type to be considered a connector. Charging plug hardware integrated into the design of the charger may be considered a connector even if it shares a cable with another connector. For a determination on specific equipment please submit the equipment specifications to ra-pdevcorridors@pa.gov.

Question: May a NACS connector and/or adapter be attached to the chargers?

Response: Yes, proprietary and non-proprietary connectors and/or adapters may be attached to the chargers, so long as each charger includes a SAE J1772 or CCS connector.

Eligible Cost Questions:

Question: Is charging equipment exceeding the four port NEVI requirements an eligible expense?

Response: Section II Paragraph C. Eligible and Ineligible Costs of the NEVI Round 1B Funding Opportunity includes the following within ineligible costs:

“Project equipment costs associated solely with installing DC fast charging or Level 2 charging ports beyond the four required SAE J1772 or CCS plugs.

- a. Ineligible costs include power cabinets and charging units that do not also support one or more of the four required plugs. For example, a power cabinet that solely supports charging unit numbers 5 and 6 would not be an eligible cost.
- b. Site-level costs and equipment that support the entire Project may be eligible costs, so long as they are otherwise considered eligible costs. For example, a transformer that supports more than four charging units at the Candidate Site would be an eligible cost, without any need for proration.
- c. Costs such as trenching, asphalt work, etc., for the entire Project are eligible costs as they are not equipment costs.”

Question: Are customer safety enhancements or features associated with or located near the Charging Station (e.g., lighting, security cameras, emergency call system, fire extinguisher, Automated External Defibrillator (AED)) allowable expenses?

Response: An expense must be directly related to the charging station to be an eligible expense. Therefore, any amenities that generally support the project site, including customers/visitors not using the charging station, would not be eligible expenses. Amenities designed to serve customers of the charging station solely or predominantly may be eligible expenses. For example, lighting directly over the charging station can be an eligible expense, while lighting over other locations would not be an eligible expense. If you would like guidance for a specific example, please email ra-pdevcorridors@pa.gov.

Question: Are costs associated with EV workforce development and/or community outreach strategies or solutions that enhance a proposer’s approach to equity, diversity, and inclusion eligible expenses?

Response: Costs must be directly related to the proposed charging station to be considered eligible expenses for reimbursement. Therefore, general EV workforce development and/or community outreach activities are not eligible expenses, but such costs associated specifically with the proposed project may be considered eligible expenses. Please submit more specific activity and cost details to ra-pdevcorridors@pa.gov for an eligibility determination.

Minimum Requirements Questions:

Question: Does PennDOT have a list of pre-qualified vendors or equipment suppliers?

Response: No, PennDOT does not utilize a pre-qualification process for EV charging infrastructure programs. Charging equipment must meet all requirements listed in Appendix V – EVC-RAA Charging Station Requirements and vendors must be qualified in accordance with 23 CFR 680.106(j).

Question: Can PennDOT please describe the process to request a waiver from the local hiring preference requirement, and how determinations on these requests will be made?

Response: Section IV Paragraph H of the EVC-RAA Funding Opportunity states that, “Any time after issuance of Conditional Award, a Prospective Contractor may request a waiver from this requirement if they can demonstrate to PennDOT that they are unable to satisfy the requirement.” PennDOT may consider factors such as the availability and presence of qualified construction contractors that perform work relevant for NEVI projects, as well as the Prospective Contractor’s efforts in identifying, contacting, and encouraging interest from these qualified contractors. All waiver requests must be submitted in writing to ra-pdevcorridors@pa.gov and will be approved or denied on a case-by-case basis.

Question: Are charging ports required to provide a minimum amperage output?

Response: Neither 23 CFR 680, nor PennDOT’s EVC-RAA Funding Opportunity, include a minimum amperage output requirement.

Question: Are projects required to provide light-duty vehicle charging infrastructure, or will medium-and/or heavy-duty vehicle charging infrastructure projects also be considered?

Response: EVC-RAA projects are required to provide public access in accordance with 23 CFR 680.106(e) and include a SAE J1772 or CCS connector on every charging port. Light-duty vehicles may not be restricted from utilizing the charging station.

Question: The final site design checklist includes the following question, “Are the operable parts operable with one hand and not require tight grasping, pinching, or twisting of the wrist, and require no more than five (5) pounds of force to activate operable parts?” Can PennDOT please clarify if this is a mandatory requirement for EVC-RAA funded EV charging stations?

Response: Yes, the accessible operations standards, including one-handed operation, limited grasping, pinching, and twisting motions, and limited activation force, are mandatory requirements for EVC-RAA funding EV charging stations per the US Access Board [Design Recommendations for Accessible Electric Vehicle Charging Stations \(access-board.gov\)](https://www.access-board.gov/design-recommendations/).

Question: The final site design checklist includes the following question: “Does the Charging Station meet fare machine requirements including, but not limited to, clear floor or ground space, operable parts, privacy, speech output, input, display screen, and two-way communication systems? Color coding or audible signals/cues shall not be used as the only means of conveying information, indicating an action, or prompting a response.” Can PennDOT please clarify if this is a mandatory requirement for EVC-RAA funded EV charging stations?

Response: Yes, the accessible operations standards, including clear floor or ground space, operable parts, privacy, speech output, input, display screen, and two-way communication systems, are mandatory requirements for EVC-RAA funding EV charging stations per the US Access Board [Design Recommendations for Accessible Electric Vehicle Charging Stations \(access-board.gov\)](https://www.access-board.gov/design-recommendations/).

Question: Is PennDOT aware that there is an impending federal rulemaking on accessibility requirements for EV charging stations that may impact the final site design checklist, and if so, how will PennDOT account for that as part of the solicitation process?

Response: Federal rulemakings take effect after they are published in final form. Based on the language in the rulemaking, and the status of a given EVC-RAA project, an upcoming rulemaking may or may not apply to a project already in progress. If PennDOT is required to enforce a new requirement on a EVC-RAA project after the Proposal submission date PennDOT will work with the Contractor and provide reasonable support and accommodations, at PennDOT’s discretion. If you have questions regarding regulatory compliance issues, please email ra-pdevcorridors@pa.gov.

Question: With the updated requirement for sites to have 2 ADA parking spaces for EV charging, do the 2 ADA parking spaces need to be adjacent to each other?

Response: No. The 2 ADA parking spaces do not need to be adjacent to each other.

Question: Are Contractors required to purchase insurance for installed charging equipment?

Response: Paragraph 8(c) of the agreement states that, “The Contractor shall procure and maintain insurance on all Project property (including EVSE) against fire, destruction, or other similar risks, in sufficient amounts to adequately protect the current value of PennDOT's investment in the Project property...” Alternatives to obtaining insurance may be proposed by providing substantially detailed information to ensure PennDOT’s investment would be adequately protected. These alternatives are evaluated on a case-by-case basis. For a determination on proposed insurance alternative please submit the request to ra-pdevcorridors@pa.gov.

Proposal Submission Questions:

Question: For Proposal question 1.1A, does PennDOT evaluate and score proposer teams who identify all Project team members higher than teams whose organizational policies only allow selection of subcontractors, such as installers, post-award?

Response: PennDOT’s scoring team will score submitted Projects in accordance with the provided scoring rubric, at their discretion. The proposer’s team is an important part of the overall Project and PennDOT relies on the experience and qualifications of the team members to determine whether the proposer is qualified to receive a financial award. When a proposer does not yet know all team members at the time of Proposal submission PennDOT recommends providing information on how such team members will be selected and any minimum requirements or expectations the Contractor will impose when selecting the team member.

Question: When describing relevant team experience in question 1.1A, can PennDOT confirm that the Prospective Contractor's team includes key members of the installers, O&M providers, and/or EVSE manufacturer staff?

Response: All organizations listed in the response to question 1.1A are considered part of the proposed project team, and any relevant experience from these organizations may be described in the relevant experience column of the table of question 1.1A.

Question: When completing Proposal question 1.1B, can projects completed by other members of the proposer's team members, such as installer or electrical contractor, be included in the table to demonstrate experience?

Response: Yes, EVSE projects completed by team members may be included in the table for question 1.1B.

Question: Is a non-binding letter signed by the Site Host expressing a commitment to host the EVSE at the location identified in the Candidate Site schematic for a minimum of five (5) years from when the EVSE becomes operational acceptable documentation for PennDOT at the time of Proposal?

Response: Yes, a non-binding letter of commitment signed by the Site Host is acceptable documentation for the Proposal question 4.2.

Question: Can PennDOT share if and how additional points are calculated for proposers who include a binding Site Host agreement for question 4.2?

Response: PennDOT will consider the relative level of commitment expressed by the Site Host when scoring question 4.2. A signed Site Host agreement would be considered a high level of commitment.

Question: Is there a template for the Site Host letter of commitment identified in question 4.2, or any specific required components of the letter?

Response: No, PennDOT is not providing a template Site Host letter of commitment nor establishing any specific required components for the letter.

Question: Are any bid bonds required as part of the Proposal process?

Response: No, bid bonds are not required.

Question: When completing required Proposal attachments and forms, are scanned signatures allowed or do they have to be electronic signatures? Many electronic signature software programs produce a final page verifying electronic signature. If electronic signatures are required, is this page an allowable additional page?

Response: Scanned signatures are allowed on Proposal attachments and forms. An additional page for electronic signatures is also allowed.

Question: Can a Prospective Contractor submit different Proposals for a variety of sites?

Response: PennDOT strongly prefers that each Prospective Contractor submit a single Proposal containing all their proposed Projects. PennDOT will not disqualify a Prospective Contractor for submitting multiple Proposals.

Question: Does PennDOT consider materials submitted in the Proposal as legally binding or a legal commitment before execution of the funding agreement?

Response: No, PennDOT does not consider materials submitted in the Proposal to be legally binding or a legal commitment. Should PennDOT select one or more Projects within the Proposal for a conditional award, and the parties subsequently execute a legal agreement, then the Proposal will be attached as an exhibit to the agreement. The proposer will be held to commitments they made in the Proposal when implementing the Project(s), unless deviations are accepted by PennDOT.

Question: Will PennDOT consider redlines or negotiate amendments to the draft agreement? If so, should proposers include redlines in their Proposal, or is this process expected to occur post-award?

Response: PennDOT will work to finalize the agreement language by the time Contractors and PennDOT are ready to sign EVC-RAA agreements. This language will then be used identically for all EVC-RAA agreements. Proposers that wish to submit comments or redline edits to the agreement should do so at their earliest convenience to ra-pdevcorridors@pa.gov, so PennDOT has time to consider them before finalizing the agreement language.

Question: If a proposer can certify at the time of submission that match funds can be provided, can a different entity provide the proposed match after the effective date of the Agreement if they are able to demonstrate the financial capabilities to do so?

Response: Proposers must attest, via a pre-Proposal question, that eligible match funding will be provided should they be selected for funding. The match funding may come from other sources or entities, so long as the source is not ineligible to match NEVI funds.

Question: Are there any page limits, size limits, or formatting requirements for Proposal attachments?

Response: No, there are no limits on the number of attachments, size of attachments, pages of attachments, nor is PennDOT requiring specific formatting for attachments.

Question: May Prospective Contractors request a one-on-one meeting with PennDOT staff to discuss the EVC-RAA Funding Opportunity and Project requirements in detail?

Response: Yes, Prospective Contractors may request one-on-one meetings with PennDOT staff. Note that PennDOT may not provide any technical guidance or clarifications beyond that which is already available.

Agreement Questions:

Question: Paragraph 9(a) of the Agreement states that the Contractor must own or lease the EVSE equipment following installation and Notice of Acceptance. Who owns the equipment prior to commissioning?

Response: PennDOT's funding commitment begins at the Notice of Acceptance and so prior ownership is neither addressed nor considered. The Contractor must own or lease the EVSE equipment by the time of Notice of Acceptance.

Question: Paragraph 10(c) of the Agreement states that, "PennDOT shall approve proposed additions, deletions, or changes to the Contractor's Project team, in writing." Please clarify the process and the proposed timeline for requesting changes to the project team.

Response: A Contractor may request a team member change via correspondence to ra-pdevcorridors@pa.gov any time after the date of Conditional Award. PennDOT will review team member change requests to confirm that the new team member is similarly qualified and experienced as the original team member, and to confirm the team member change aligns with any commitments made in the Proposal. Subcontractors must be an approved member of the project team prior to incurring any eligible costs on the Project.