Oklahoma Electric Vehicle Charging Grant Program

Funded by the Volkswagen Settlement Environmental Mitigation Trust

Grant Solicitation

FY 2021

Important Information

Project Purpose – The ChargeOK Grant Program, a financial incentive program, provides an opportunity to build out Oklahoma's light-duty electric vehicle (EV) charging network. Through this program, the State of Oklahoma seeks to build a strategic network of electric charging stations to increase the use of EVs in place of gas-powered cars to mitigate nitrogen oxides, decrease particular matter and greenhouse gas emissions, and reduce EV range anxiety across Oklahoma.

Project Funding – Under the ChargeOK Grant Program Round 2 (FY2021), there is approximately $1.1 million available for reimbursement grants from the Oklahoma Department of Environmental Quality (DEQ) funded by the Volkswagen Settlement Environmental Mitigation Trust.

Application Submission Period – The ChargeOK Grant Program application submission period will begin upon public notice of availability and will close 63-days later. All applications must be submitted by 5:00 PM on September 8, 2020. DEQ has assembled a committee to review and score applications.

Project Period – The project period will begin upon a Notice to Proceed and end 12 months later.

Submission Format – The application is available online at www.deq.ok.gov/air-quality-division/volkswagen-settlement/chargeok-oklahoma-electric-vehicle-charging-program. Completed application packets may be submitted by email to VWSettlement@deq.ok.gov. If application packet is 10 megabytes or larger, applicants must use postal service, addressed to the following:

Oklahoma Department of Environmental Quality
Air Quality Division
ATT: ChargeOK Grant Program
707 N. Robinson
P.O. Box 1677
Oklahoma City, OK 73101-1677

For questions on the application, RFP, or associated concerns, contact:
VWSettlement@deq.ok.gov
(405) 702-4100

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I. Overview and Background

The DEQ requests proposals from eligible applicants to install EV charging stations throughout Oklahoma. The ChargeOK Grant Program is a financial incentive program created pursuant to Oklahoma's $20.9 million allocation from the Environmental Mitigation Trust Agreement for State Beneficiaries (Trust, or State Mitigation Trust), resulting from a national emissions violation settlement.[1] With guidance from the Office of the Secretary of Energy & Environment (OSEE), DEQ, as the lead agency, will administer the program and manage requirements required by the Trust Agreement.

A maximum of 15 percent of Oklahoma's State Mitigation Trust allocation, approximately $3.1 million, will be used to fund light-duty zero emission vehicle supply equipment (ZEVSE) projects. $2.0 million was used to incentivize development of ZEVSE projects in Oklahoma last year. We have $1,114,353 remaining to award for this solicitation.

II. Funding Information

A. Available Funding

DEQ anticipates awarding a total of approximately $1,114,353 on a competitive basis for the purchase, installation, and operation of publicly accessible charging stations proposed by the applicants. Each grant award will be for a single charging site located within 10 miles of one of the designated Locations listed in this Solicitation. See III. Eligible Project Locations for more information.

DEQ will fund a maximum of 80% of eligible project costs. Applicants may submit one application with single or multiple projects – as long as each project is clearly defined. DEQ may award multiple grants to an individual applicant for multiple projects within the same or different areas. DEQ may also award grants to more than one applicant within an area.

B. Funding Type

The ChargeOK Grant Program is funded as a reimbursement grant program. Grant payments are disbursed as reimbursements after the work is completed, verified, and approved. Verification will occur through a site

[1] A $2.866 billion environmental mitigation trust (State Mitigation Trust) was established by the Environmental Mitigation Trust Agreement for State Beneficiaries filed by the United States (U.S.) Department of Justice, with the U.S. District Court for the Northern District of California on October2, 2017, in the case, *In Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation* (No. 3:15-md-02672-CRB (N.D. Cal.), MDL No. 2672). Additional information about the case, settlement, and its' programs are available on Oklahoma's Department of Environmental Quality website.

visit and photograph by a state official, or by obtaining evidence of public use, and photographs of the site from the internet. Under a reimbursement grant, the grantee will pay all project costs and submit an itemized list providing the cost of all goods and services used in the construction of the site and a notorized affidavit testifying that the list is true, copies of project invoices which have a reimburseable amount of equal to or greater than $2,500, along with an invoice to DEQ. Reimbursement may take up to 45 days if there are no issues with the reimbursement package. Detailed invoice requirements and submission instructions will be provided to successful applicants.

C. Project Period

The project period for the ChargeOK Grant Program will begin upon execution of a Memorandum of Agreement (MOA) and a Notice to Proceed and end 12 months later. Extension requests will be evaluated on a case-by-case basis by DEQ.

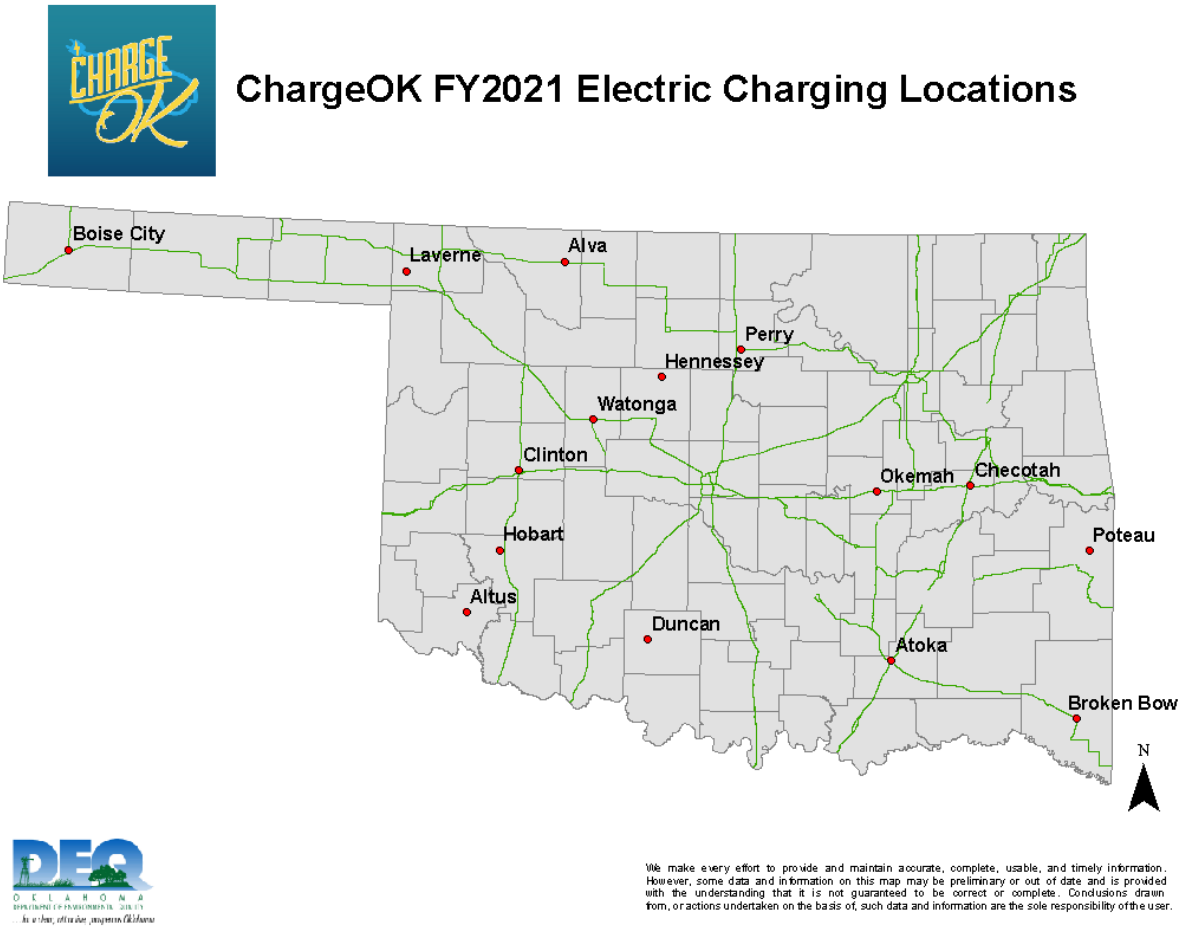
Note: Any applicant who begins a project and incurs costs before receiving a fully executed MOA and Notice to Proceed (prior to the beginning of the project period) does so with the understanding that the costs may not be reimbursed.

III. Eligible EV Charging Site Categories

With consideration for existing and planned investments of electric charging stations within Oklahoma, the ChargeOK Grant Program offers incentives for additional projects based on site locations chosen to fill in the EV charging network in Oklahoma. The locations chosen are listed below. Only projects located within 10 miles of the listed locations will be considered for the grant.

1. Altus
2. Alva
3. Atoka
4. Boise City
5. Broken Bow
6. Checotah
7. Clinton
8. Duncan
9. Hennessey
10. Hobart
11. Laverne
12. Okemah
13. Perry
14. Poteau
15. Watonga

Figure 1: Target cities for installation of electric vehicle charging equipment



IV. Eligibility Information

A. Eligible Applicants

Eligible applicants include the following: *see glossary for definitions*

- Businesses, registered in Oklahoma with the Secretary of State
- Federal, State, Local, or Tribal Government Agencies
- 501(c)(3) Organizations
- Air Quality or Transportation Organizations
- Metropolitan or Rural/Regional Transportation Planning Organizations

B. Cost Share Requirements

Grantees will be required to provide a minimum 20% match. If a higher percentage is matched, then additional points will be awarded during the scoring process. Eligible sources of a match include cash, loans, other grants or capital assets dedicated to the project. All matching funds claimed in a project proposal must be supported with documentation that demonstrates the funds are available.

Volkswagen settlement funds awarded pursuant to this RFP can be used as a match for another funding assistance program, such as a federal grant, if specifically allowed under the other funding assistance program. If an applicant intends to use federal grants or any other funding assistance program monies as a match for this funding opportunity, such intent **must** be stated on their project application. In addition, the applicant **must** provide confirmation that the other funding assistance monies are allowed to be used as a match for Volkswagen settlement funds as an attachment to the project application. Volkswagen settlement funds must be specifically named in the provided confirmation. Acceptable forms of written confirmation are official documents supporting the other funding assistance program, such as FAQs, RFPs, or guidance documents.

Note: Applicants are not allowed to use any other VW funds to match or fund proposed charging station projects.

C. Eligible and Ineligible Costs

<u>Eligible Cost:</u>

All project costs must be necessary for and directly connected to the acquisition, installation, operation, and maintenance of the ZEVSE. Project costs may include, but are not limited to, the following:

- DCFC & Level 2 equipment costs
- ZEVSE installation costs directly associated with and required for the installation and safe operation of ZEVSE
- Utility upgrades such as transformers and extensions
- Connecting ZEVSE to electrical service
- Other hard costs (concrete, conduit, signage, cable/wiring, etc.)
- Warranties for charging equipment (minimum of 5 years)
- Shipping of equipment
- Battery storage

Ineligible Cost:

All project costs that are not directly related to the project are considered ineligible for reimbursement. In addition, the following costs, even if they are directly related to the project, are ineligible.

- Purchase or rental of real estate
- Other capital costs (e.g., construction of buildings, parking facilities, etc.) or general maintenance (i.e., maintenance other than of the supply equipment)
- Administrative costs

V. Project Specifications

All applications should address how the project proposal will comply with the following requirements. Failure to address these requirements may result in disqualification of the application during the review process. Failure of a grantee to maintain compliance with these requirements through project implementation and operation may result in withholding of grant reimbursement and/or rejection of future grant applications submitted by the grantee.

Providing additional project information beyond these requirements is encouraged.

All projects *shall meet* the following requirements:

1. **Category**: Projects shall be located within one of the outlined categories (Transportation Corridor or Single Point Location).

2. **Host Site Selection**:
    a. **Location**: Project host sites shall be within a maximum distance of 2 miles of an exit off the highway or interstate, though closer proximity of less than 0.5 miles is highly encouraged and points will be awarded accordingly during the scoring process. All charging sites shall be publicly accessible to the general public 24-hours per day/ 7-days a week, adequately lit from dusk to dawn, and be within a short and safe walking distance to retail or service establishments such as restrooms, convenience stores, restaurants, shopping centers, or tourism destinations.
    b. **Agreements**: Site host agreements shall be negotiated with the host site owners to achieve assurance that each charging station will remain at the site and operational for a minimum of 5 years. Additionally, all applicants are required to collaborate with local electric utility and include appropriate documentation from the utility,

such as a letter or service notice, indicating power supply availability for the proposed project.

c. **Register**: Upon completion of the project, applicant shall register the location with the Alternative Fuel Data Center station locator tool at www.afdc.energy.gov/, and https://www.plugshare.com/ .

3. **Ongoing Services:**
   a. **Customer Service**: Projects shall include a customer service support telephone number available 24 hours per day, 7 days a week and clearly posted to assist customers with difficulties accessing or operating the charging station.
   b. **Parking**: Projects shall include paved parking spaces enabling the maximum number of vehicles capable of being charged simultaneously, and shall include adequate space for future expansion.
   c. **Networking**: Projects shall be connected to a network by Wi-Fi or cellular connection. Furthermore, projects shall maintain appropriate EV charging network hardware and software that include the capabilities for: remote diagnostics, remote start of the equipment, and collecting and reporting usage data.
   d. **Payment Options**: If charging service is not provided as a free service/amenity, then charging stations must be Payment Card Industry compliant to allow direct use of a credit or debit card at the charging station itself. Stations may also offer additional payment methods including subscription methods, smart cards, or smart phone applications. Real-time pricing and fee information shall be displayed on device or payment screen. Charging station equipment shall allow for flexible pricing including, but not limited to, per minute or per hour, by space, or by time of day.
   e. **Signage**: "Electric vehicle charging only" signs are required on each side of each charging station along with "electric vehicle charging only" stenciled graphics on each striped parking stall.
   f. **Compliance**: Site development, project installation, and maintenance shall be done in compliance with all applicable laws, ordinances, regulations and standards, including, but not limited to, the Americans with Disabilities Act (ADA).
   g. **Maintenance**: Projects (charging units) must come with a minimum of 5-year manufacturer's warranty and continually be in full-working order to the extent possible. Should repair be necessary, charging units shall be fully operating within 72 hours of equipment issue/breakdown to ensure a 95% annual uptime guarantee. Proof of the charging station equipment warranty and a maintenance plan must be submitted to ODEQ prior to project completion as a condition of final payment approval.

4. **Equipment Requirements**:
    a. Each charging unit must offer both CHAdeMo and SAE CCS (Society of Automotive Engineers Combined Charging System) charging protocol connectors. Each Level 2 charging unit must offer a J1772 compatible connector.
    b. All charging station equipment must come with a minimum of a 5-year warranty.
    c. Charging stations shall use Open Charge Point Protocol.
    d. Charging equipment must be certified through the Nationally Recognized Testing Laboratory (NRTL) program to demonstrate compliance with appropriate product safety test standards. A complete list of accredited NRTLs can be found online at: https://www.osha.gov/dts/otpca/nrtl/nrtllist.html. Supporting evidence must be provided.
    e. If Level 2 EVSE is included, it must be capable of providing electric power at each plug at a minimum of 6.6 kW continuous with electric service rated at 208V (30A continuous).
    f. Future Proofing: Conduit and an electrical service box of adequate size and disconnect capacity that will allow additional electrical cable to be run to the site for future installation of two additional 50 kW charging stations or a higher power station up to 350 kW must be included in the installation. The charging enclosure must be constructed for use outdoors in accordance with UL50, Standard for Enclosures for Electrical Equipment, NEMA, Type 3R exterior enclosure or equivalent.
    g. Charging equipment shall be capable of operating without any decrease in performance over an ambient temperature range of minus 22 to 122 degrees Fahrenheit with a relative humidity of up to 95%.
    h. Projects shall incorporate a cord management system or method to eliminate potential for cable entanglement, user injury and connector damage from lying on the ground.

VI. Project Reporting, Monitoring, and General Conditions

Semiannual reporting will be required from the project start date until the project is completed and project funds are received. More information on semiannual reporting, including deadlines and report templates, will be provided to recipients after award notification.

Additionally, all applicants shall submit annual station utilization data to DEQ for 5 years after projection completion. Annual report submission instructions will be included in executed MOA. The following information shall be submitted for each charger installed:

- Number of charging events
- Connect and disconnect times
- Start and end charge times
- Number of unique vehicles connected
- Total kWh dispensed per charging event
- Average kWh per charging event
- Peak power (kW) per event
- Peak power (kW) by time and date
- Peak power demand (kW) by month
- Average duration of charging events
- Percentage of station downtime

Pursuant to paragraphs 4.2.7 and 5.2.14 of the Volkswagen State Mitigation Trust, state beneficiary funding requests to the Trust must be published on a public-facing website by both the Trustee and the state beneficiary. Thus, applications submitted to this grant program are subject to being published online, either in whole or in part. To the extent any information contained in or included as part of an application to this grant program is a trade secret or confidential business information (CBI), within the meaning of Oklahoma law (including 51 Okla. Stat. (O.S.) 24A.10 and 27A O.S. 2-5-104(17)), the applicant must specifically designate it as such. Please provide two copies of your application: one clean version and one redacted version, specifically identifying which provisions in the application are considered CBI. In the interest of transparency, it is requested that the applicant avoid designating the whole application as CBI and only redact those portions of the application which are specifically CBI.

VII. Application Review, Scoring, and Selection

All applications will be reviewed by a Scoring Committee comprised of one representative from DEQ, SOEE, ODOT, and possibly the Corporation Commission. The Scoring Committee will only review applications submitted by the grant deadline. Late proposals, ineligible applicants and projects, and incomplete proposals will not be considered for review. The Scoring Committee will have up to 60-days from the application deadline to score applications.

Only applications meeting the eligibility criteria will be considered for scoring. Reviewers will evaluate proposals per project using the criteria listed in Appendix 2. The potential maximum number of points is listed to the right of each category. Any member of the Scoring Committee may request clarification of submitted information from one or more applicants. The applicant may provide written responses to the request for clarification; such responses may be considered along with the original proposal for application scoring.

Note: DEQ is not required to distribute all funds available for this funding opportunity and reserves the right to award partial grants.

All applicants will receive email notification from DEQ, addressed to the contact person specified in the application, notifying the applicant whether or not they are being offered grant funding. Applicants selected for funding will also be notified through email concerning the next steps in the award process, including execution of a Memorandum Of Agreement. This agreement will establish project timelines, the reimbursement process, reporting requirements, ensure the grant recipient will adhere to the competitive bid/procurement process, if applicable, and other applicable information. Once the MOA has been signed by both parties, then the applicant will receive an email notification from DEQ with a Notice to Proceed. Again, applicants who begin a project and previously incur costs before receiving a Notice to Proceed does so with the understanding that the costs will not be reimbursed.

VIII. Glossary

501(c)(3) Organization – an organization recognized by the United States (U.S.) Internal Revenue Service as tax-exempt under Section 501(c)(3) of the U.S. Internal Revenue Code.

Air Quality or Transportation Organizations – local, regional or multi-state air quality or transportation organizations that include a Oklahoma state government agency, a municipal government, or a municipal authority as a member, and

1. own or operate a diesel fleet located or operating in Oklahoma, or
2. have partnered with or are acting as a project manager for another eligible entity listed in this section.

Business – corporations, partnerships, sole proprietorships, limited liability companies, business trusts or other legal business entities incorporated in or registered with the Oklahoma Secretary of State to do business in Oklahoma.

Combined Charger System (CCS) Type 1 – a type of special electrical connector used in DC charging certain battery electric vehicles and using the Type 1 connector adopted for use in North American charging systems.

Direct Current Fast Charging (DCFC) – a high power (50KW – 350KW), fast charging method used to resupply an EV battery using direct current electricity, typically 208/480V 3 phase.

Federal Government Agency – Federal agencies that have custody, control, or management of land within or contiguous to the territorial boundaries of Oklahoma.

Government – a State or local government agency (including a school district, municipality, city, county, special district, transit district, joint powers authority, or port authority, owning fleets purchased with government funds), and a tribal government.

Level 2 EV Charging – EV Supply Equipment that provides alternating current at 208/240V up to 19.2 kW for charging an EV battery.

Light-duty vehicles – Class 1 and 2 vehicles that have a Gross Vehicle Weight Rating of less than 10,000 lbs.

Metropolitan or Rural/Regional Transportation Planning Organizations – organizations as defined by the U.S. Department of Transportation at 49 U.S.C. § 5303(b) that are located in Oklahoma.

"Operation and Maintenance Costs" – shall mean the costs necessary for, and directly connected to, the operation and maintenance of new light duty electric vehicle supply equipment. †

Publicly Accessible – filling station that is available for public use, without restrictions, 24 hours per day, 7 days per week. Examples of restrictions include: club or membership card access restrictions, or site limitations, such as, a station being located behind a gated fence.

Site host agreement – A legal agreement which includes rules and responsibilities for the party(s) to manage, operate, and maintain the charging station in the future. This agreement shall be between land owner and the applicant/equipment operator for the establishment of a charging station.

Trustee – Wilmington Trust, N.A., the firm approved by the Court in *In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability*

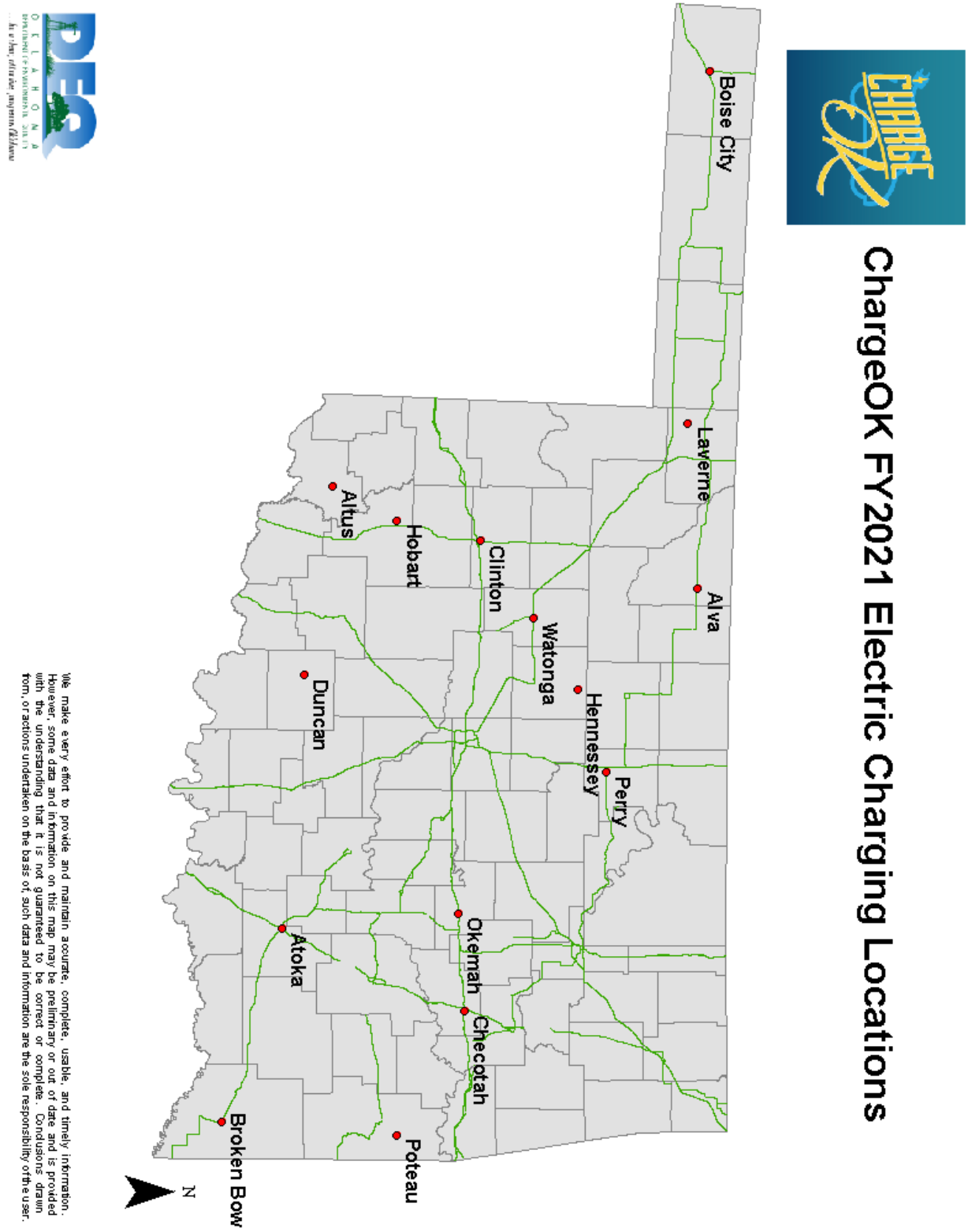
Litigation, MDL No. 2672 CRB (JSC), on March 15, 2017 to administer the State Trust Agreement and disburse the funds from the State Mitigation Trust.

Zero Emission Vehicle (ZEV) – a vehicle that produces no emissions from the onboard source of power.

Zero Emission Vehicle Supply Equipment (ZEVSE) – equipment permanently installed at a site for recharging or refueling an electric vehicle.

THIS GRANT SOLICITATION WAS PREPARED ON: February 13, 2020
THIS GRANT SOLICITATION WAS MODIFIED ON: June 29, 2020

Appendix 1: Target Cities for Installation of Electric Vehicle Charging Equipment



Appendix 2: Scoring Criteria

A 100-point scale will be used to evaluate complete and eligible applications. Project proposals will be evaluated and ranked according to the following criteria:

CRITERIA	MAXIMUM POSSIBLE POINTS
Project Narrative	5
Station Location and Access to Amenities	20
Cost Effectiveness: • Matching Funds requested • Budget Narrative • Business Model	20
Station Design, Facilities Requirements, Minimum Station Specifications	*20*
Organization, Staff Experience, Qualifications	15
Project Partnerships: • Key Partners Identified • Site Agreement Attached • Utility Service Notice	10
Innovation and Sustainability: • Future Proofing • Use of Renewable Energy	5
Detail and Completeness	5
TOTAL	100