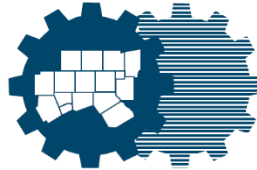


**ELECTRIC VEHICLE CHARGING STATION
CALL FOR PROJECTS
GUIDELINES**

Updated: April 8, 2022

North Central Texas Council of Governments
616 Six Flags Drive
Arlington, TX 76011
www.nctcog.org/aqfunding
AQgrants@nctcog.org



**North Central Texas
Council of Governments**

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INTRODUCTION AND PROGRAM OBJECTIVES

The North Central Texas Council of Governments (NCTCOG), which serves as the host agency for Dallas-Fort Worth Clean Cities, is offering **up to \$1 million in** grant funding for purchase and installation of electric vehicle (EV) charging stations to be operated in the Dallas-Fort Worth (DFW) ozone nonattainment area. This initiative is made possible through use of Congestion Mitigation and Air Quality Improvement (CMAQ) Program funding.

Ten counties in the North Central Texas region are currently designated as nonattainment for the pollutant ozone. This means ground-level ozone pollution levels in these counties are higher than the level that EPA has identified as safe for human and environmental health. Ozone is formed when nitrogen oxides (NO_x) and volatile organic compounds (VOCs) mix in the presence of sunlight and heat. Breathing ground-level ozone can result in several health effects that are observed in broad segments of the population. Observational studies indicate that higher daily ozone concentrations are associated with increased hospital admissions and other markers of morbidity.¹ In addition to threatening human health, high ozone concentrations pose a risk to the environment, wildlife, agriculture and manufactured structures in the region. Ozone nonattainment can also cost the region economically, as funding to build new roadways could be placed at risk, and businesses could become subject to more strict regulations (e.g. requirements to install emission control devices).

The nonattainment area was reclassified from moderate to serious nonattainment in August 2019 under the 2008 ozone National Ambient Air Quality Standards (NAAQS) of ≤ 75 parts per billion. In 2022, these ten counties are pending reclassification from serious to severe nonattainment after the region failed to demonstrate attainment in 2021. On October 26, 2015, the EPA adopted the 2015 ozone standard, a stricter standard for the 8-hour ozone NAAQS set at ≤ 70 parts per billion. Under the 2015 ozone NAAQS, nine counties are designated marginal nonattainment and in 2022 these counties are pending reclassification to moderate nonattainment after failing to demonstrate attainment in 2021. The increasing severity nonattainment designation and continued failure to reach attainment underscore the importance of continuing to implement emissions-reductions projects.

Programs to reduce ozone-forming NO_x and VOC emissions from on-road mobile sources (e.g. cars and trucks) are an important element of working toward ozone attainment. On-road mobile sources contribute approximately 38 percent of NO_x and approximately 11 percent of VOC emissions in the DFW nonattainment area. NCTCOG and DFWCC support increased adoption of EVs as they produce zero tailpipe emissions, helping reduce concentrations of ozone precursors. The Electric Vehicle Charging Station CFP will support EV adoption by expanding the availability charging stations across the region. Objectives for this initiative are two-fold:

- 1) Fill gaps in the current publicly available charging network to help advance EV adoption among the general public, and
- 2) Install EV charging stations on public property that is well-suited to serve fleet vehicles owned by the applicant organization to support EV adoption among public sector fleets.

For additional information about ozone pollution and efforts to improve air quality in North Central Texas, visit www.nctcog.org/airquality.

SCHEDULE

Applications for funding will be evaluated and awarded on a competitive basis. To balance a need for prompt implementation with a desire to allow adequate time for project development, NCTCOG is planning two application deadlines. The first application deadline will be 5 pm Friday, April 22, 2022. All applications received by this deadline will be classified as “Round 1” applications and will be evaluated competitively amongst themselves.

If funds remain after the Round 1 deadline, NCTCOG will continue to accept applications until 5 pm on Friday, May 20, 2022. Applications received between 5 pm on April 22 and 5 pm Friday, May 20, 2022 will be classified as “Round 2” applications and will be evaluated competitively only among other Round 2 applications. See the “Application Process” section for more details about selection criteria.

Call for Projects Schedule	
Milestone	Target Date
RTC Action to Open Call for Projects	February 10, 2022
STTC Endorsement of Call for Projects	February 25, 2022
Call for Projects Opens	March 4, 2022
Round 1 Application Deadline	Friday, April 22, 2022 (7 Weeks from CFP opening)
Round 2 Application Deadline (If Funds Remain)	Friday, May 20, 2022 (11 Weeks from CFP opening)
Staff Award Recommendations Finalized and Made Public with STTC Agenda Posting	Round 1: Estimated May 20, 2022 Round 2 (if applicable): Estimated June 17, 2022
STTC Recommendation of Awards	Round 1: May 27, 2022 Round 2 (if applicable): June 24, 2022
RTC Approval of Awards	Round 1: June 9, 2022 Round 2 (if applicable): July 14, 2022
Executive Board Authorization of Awards	Round 1: June 23, 2022 Round 2 (if applicable): July 28, 2022

Upon award, successful applicants will face an aggressive implementation schedule of approximately one year for all project activities to occur. Key activities for project implementation are outlined below. Applicants are encouraged to consider these steps carefully to ensure submitted projects can feasibly be completed within the implementation window.

Project Implementation Schedule (some steps may happen concurrently)	
Milestone	Responsible Party & Target Date (if applicable)
Transmit Agreements for Execution	NCTCOG; As Soon as Practicable Upon Executive Board Authorization
Execute Agreements	Applicants and NCTCOG
Submit Procurement Documentation for Approval*	Applicants; Submittal with Application Preferred, or Submit as Soon as Possible Upon Release of Staff Award Recommendations
Review Procurement Documentation and Recommend Changes if Needed*	NCTCOG
Approve Procurement Process*	NCTCOG
Conduct Federally Compliant Procurement	Applicant
Submit Buy America Documentation*	Applicant or Awarded Vendor
Evaluate Vendor for Buy America Compliance*	NCTCOG
Submit NEPA Documentation for Review	Applicant and NCTCOG
NEPA Review and Approval	TxDOT Dallas District
Coordinate with Utility	Applicant
Purchase, Construction, and Installation	Applicant
Submit Reimbursement	Applicant
Approve Reimbursement	NCTCOG; Within 45 Days of Receipt of Complete Reimbursement Request
Project Completion/Reimbursement Deadline	July 31, 2023

**These milestones may be expedited if applicants purchase through a cooperative purchasing contract and submit documentation with the application, in which case NCTCOG review can occur concurrent to Committee and Board approvals for awards. Submittal of additional documentation related to these requirements after the application deadline will not impact scoring or staff funding recommendations.*

All projects must be implemented, and final reimbursement request submitted by July 31, 2023.

ELIGIBLE APPLICANTS & PROJECT LOCATIONS

Eligibility includes public sector entities (e.g. local governments, transit agencies, school districts, public college or university campuses, etc.) in the NCTCOG region. Charging infrastructure must be installed on property owned by the eligible applicant and located within the ten-county ozone nonattainment area. This includes sites within Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise counties. Charging stations should receive power from behind the applicant’s primary electrical meter or submeter.

Existing EV ownership is not an eligibility requirement since one of the objectives of this program is to enable fleets electrification for organizations that have not yet acquired EVs. However, NCTCOG will favorably consider locations that are intended to serve both the general public and the applicant fleet, and applicants should convey plans to purchase EVs in conjunction with the project.

In addition, to be eligible, all applicants must have adopted a policy which is consistent with the Regional Transportation Council (RTC) Clean Fleet Policy (RTC Resolution R14-10) prior to the application deadline. To meet this requirement, the policy should include goals or elements which meet the following objectives:

- 1) Reduce emissions from fleet activities;
- 2) Reduce fuel consumption among fleet vehicles and equipment;
- 3) Support partnership with the NCTCOG and DFW Clean Cities Coalition; and
- 4) Educate fleet personnel on air quality and fuel consumption efforts.

Additional information, including a template policy, guidance documents and details on what these four objectives entail, can be found at www.nctcog.org/fleetpolicy.

In addition, all applicants must submit an online risk assessment:

- In accordance with provisions under the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR 200)⁴, NCTCOG will conduct a risk assessment of all anticipated subrecipients prior to final selection. This assessment includes the following elements:
 - Financial/organizational capacity
 - History of performance for federal funds
 - Experience in carrying out a federally compliant procurements, and the proposed procurement approach for this project
 - Results of previous audits
 - Past performance on NCTCOG-related grants
- NCTCOG is not obligated to fund a proposal from an applicant that has demonstrated marginal or unsatisfactory performance on previous grants or contracts with NCTCOG and/or other state or federal agencies.
- NCTCOG is not obligated to fund a proposal from an applicant based on a determination of the risks, including the financial condition of the applicant and other risk factors as may be determined by NCTCOG.

FUNDING LEVELS AND PROJECT ELIGIBILITY

Both Level 2 and Direct Current Fast Charge (DCFC) Charging Stations are eligible for funding. Applicants must own the facilities where the charging station(s) will be installed. Charging stations should receive power from behind the applicant's primary meter or submeter. **The Activity Life of the grant-funded equipment is five years.**

Awarded projects will be reimbursed at 100% federal funding for all eligible costs. NCTCOG will utilize regional Transportation Development Credits as matching funds.

All charging stations must:

- Be accessible and available to the public **at no cost**
 - After August 31, 2024, a fee for charging may be assessed
- Be located in the 10-County Ozone Nonattainment Area
- Be located on Applicant-owned property and owned by the Applicant entity
- Be co-located with existing parking/development
- Have dusk to dawn lighting
- Meet Federal Highway Administration Buy America Requirements (see Buy America Compliance, page 8)
- Include dual mount pedestal that is compliant with the Americans with Disabilities Act (ADA) recommended charge connect height of less than 48” and greater than 24”
- Comply with the current version of the [National Electrical Code](#) (NEC) Article 625
- Have signage for each EV charging parking space
- Be maintained and operational for a period of at least five years **the five-year Activity Life beginning** from final reimbursement date
- Be properly insured against loss or damage throughout the term of the contract and the five-year operating period **Activity Life**
- Be certified to operate outdoors and in extreme weather conditions.
- Be certified by Underwriters Laboratories, ETL Listed, or possess an equivalent certification.
- Be at least open charge point protocol (OCPP) 1.6 compliant, unless the Applicant can demonstrate no eligible charging station equipment can meet this requirement.

Additional Level 2 Station Requirements:

- Offer Society of Automotive Engineers (SAE) J1772 Connector
- Be rated at a minimum of 7.2kW

Additional Direct Current Fast Charge Station Requirements:

- Offer at least one Charge de Move (CHAdeMO) connector and one SAE Combined Charging System (SAE CCS) charging protocol connector.
- Be rated at a minimum of 50kW

Charging Stations are Strongly Encouraged, but Not Required, to also:

- As appropriate/needed, connect to a network by wired ethernet, Wi-Fi, or cellular connection and use an Open Charge Point Interface (OCPI) protocol to allow subscribers of other electric vehicle charging system networks to access the charging station.
- Meet or exceed Energy Star standards for EV Charging stations
- Incorporate features that help minimize grid impacts

Eligible Costs:

Eligible costs must be directly related to purchase and installation of EV charging stations. All expenses must comply with federal procurement requirements to be eligible for reimbursement.

Applicants should carefully consider the time needed to conduct federally compliant procurement when scoping costs to be reimbursed under the grant. Applicants may wish to identify charging station providers who can offer a turnkey solution, including design, engineering, and installation services in addition to equipment. All equipment costs must be related to equipment owned by the applicant. Eligible costs may include:

- Construction includes the costs for the enhancement or building of permanent facilities and electrical capacity directly associated with the charging unit, including materials and labor and subcontracts for services in connection with the construction as well as facility improvements such as paving, foundation and covers.
- Charging station and related equipment, including shipping costs
- electrical equipment which is directly related to the electric vehicle charging equipment (equipment must be located behind the Applicant's primary meter or submeter to be eligible)
- Site design and engineering
- Construction associated with the equipment purchase and installation of charging stations, including labor and materials for the enhancement or building of permanent facilities and electrical capacity directly associated with the charging unit, including materials and labor and subcontracts for services in connection with the construction as well as facility improvements such as paving, foundation and covers.
- Permits
- EV charging station protective covers or electrical panels
- Signage
- Painting
- Wheel Stops
- [Equipment Warranty](#)

Ineligible Costs Include:

- Any expenses incurred through a process that does not comply with federal procurement requirements
- Any expenses incurred prior to execution of a grant agreement by NCTCOG
- Purchase of EVs
- Level 1 charging stations
- EV charging station maintenance and operation costs
- [Electricity costs anticipated to be incurred due to providing charging at no cost through August 31, 2024](#)
- Replacement or upgrading of existing charging stations (unless the upgrade is to add SAE CCS connectors to an existing DCFC station that does not currently offer this connector type)
- Leased or lease-to-own charging stations
- Costs of used electric vehicle charging equipment
- Testing equipment
- Sales taxes
- Transformers or other electrical equipment not behind Applicant's primary electrical meter or submeter or which is not directly related to the electric vehicle charging equipment
- Purchasing or leasing of facility, land, interest in land, real estate, capital costs, such as facility improvements and equipment, that are not directly associated with the charging unit (construction of buildings, parking facilities, etc).

- Administrative costs and other internal costs of the grant recipient including, but not limited to, personnel expenses, internal salaries, indirect costs (e.g. office supplies), travel, food, drink, and fees associated with cooperative procurement organizations (e.g. BuyBoard, Sourcewell) or financing.
- Fees for a third-party consultant or dealer hired to coordinate the application or manage and administer grant-funded activities, including coordination of the work and submission of reports and paperwork. This restriction is not intended to limit the ability of the equipment supplier or installer to include reasonable and necessary costs for managing the work to be performed in the price of the engine, equipment, or installation services. Per the Uniform Grant Management Standards, the cost-plus-percentage-of-cost method of contracting for professional services shall not be used.

PROJECT REQUIREMENTS

The following requirements will apply to all grant recipients under this program. NCTCOG reserves the right to withhold grant payment or request return of funds if these requirements are not met and/or not sufficiently documented. Potential applicants should consider these conditions carefully when evaluating whether to submit a grant application.

Available to the Public At No Cost:

“At no cost” means that the charging station user cannot be assessed any fee, even for the electricity consumed, until August 31, 2024. This does mean that the awarded entity will need to budget for increased electricity costs associated with use of the charging station. This requirement is because any revenue generated by the project, such as charging fees, must be tracked and reported as program income to the funding agency. This is currently disallowed under the contract with the funding agency. It may also represent a substantial administrative burden in creating a system to monitor and account for these expenses, which are expected to be relatively small. After the contract with the funding agency ends, the awarded entity may begin assessing a fee. Fees may be assessed beginning September 1, 2024.

Note that typically, NCTCOG only provides an 80% federal share and requires 20% matching funds. In this program, NCTCOG is covering eligible costs with 100% federal funds, using Transportation Development Credits as match. The expenses incurred by covering additional electricity consumption may be similar to the expenses typically incurred by providing non-federal match.

Buy America Compliance:

All grant-funded equipment must meet Federal Highway Administration Buy America Requirements under 23 CFR 635.410, which state that:

- all steel or iron used and all products manufactured from steel and iron (including protective coatings) must be produced in the United States and all manufacturing processes for these materials must occur in the United States
- this does not preclude minimal use of foreign steel, and iron materials that does not exceed one-tenth of one percent of the total contract cost of \$2,500, whichever is greater

Buy America compliance must be certified to by the equipment manufacturer. If the applicant plans to procure equipment through a cooperative purchasing contract, the applicant may wish to coordinate with the vendor to complete the Buy America certification and submit it in

conjunction with the application to help expedite review and approval by NCTCOG. In this case, the documentation should include:

- A Buy America Certification form completed and signed by the equipment manufacturer (included as Appendix A [and posted on the CFP web page](#))
- A domestic content worksheet ([example posted on the CFP web page](#))

NCTCOG has posted a listing of EV charging station companies that may be Buy America compliant on the CFP webpage. This listing is provided for informational purposes only and may not be comprehensive. Applicants should discuss this requirement carefully with vendors. Any questions on Buy America compliance may be directed to Emily Beckham at ebeckham@nctcog.org.

Davis-Bacon Act Compliance:

For projects with anticipated construction costs in excess of \$2,000, Davis-Bacon (Payment of Prevailing Wage Rates) Act compliance requirements apply (40 U.S.C §§3141-3148, as supplemented by Department of Labor regulations 29 CFR Part 5). Applicants must require hired contractors to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, Applicants must require contractors to pay wages not less than once a week. Notification of the prevailing wage determination issued by the Department of Labor must be placed in each solicitation. An applicant's (or applicant's contractor) decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. Additionally, all contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3), which prohibits Applicants or contractors from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled.

All suspected or reported violations shall be reported to NCTCOG, which will then be reported to NCTCOG's federal funding agency.

Project Budget:

As part of the application, Applicants must attach a Project Budget. See Appendix B [and Excel file Budget template posted on the CFP web page](#) for the standardized budget form.

- Each budget item should include Item Description, Quantity (if applicable), Financial Incentive Amount (if applicable), and Cost.
- Budget items should be grouped and summed within the following budget sections: Design, Engineering, Equipment, Construction, and Installation.
- Each subcontractor/consultant should be listed separately below the applicable budget item.
- Attach any documentation to support the item costs, if available.
- Any existing financial incentives that directly reduce the cost of the project as a whole or a budget item, including tax credits or deductions, other grants, anticipated scrap value, or any other financial assistance, to allow for accurate calculation of incremental cost should be listed in the budget separately below the applicable budget item or listed at the end of the budget if only applicable to the project as a whole.

DUNS/UEI & SAM Number:

Applicants are required to provide a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number or a Unique Entity Identifier, and a current registration with the System for Award Management (SAM). Applicants can receive a DUNS number at no cost by calling the toll-free DUNS Number request line at 1-866-705-5711, or visiting the D&B Website at www.dnb.com/us/. Applicants can receive free SAM registration at www.SAM.gov. If a DUNS number or SAM has not yet been assigned, please include the date the applicant requested a number.

National Environmental Policy Act (NEPA) Requirements:

[National Environmental Policy Act](#) requirements must be observed. While installation of EV charging infrastructure generally does not result in significant environmental impacts, an environmental review must be completed. NCTCOG will coordinate with successful applicants to complete this process after award.

Texas Historical Commission Requirements:

[Texas Historical Commission](#) (THC) requirements must be followed. For each proposed charger site, indicate in the site description in Part 3 of the application whether or not the charger site is located on a property with a structure of historic age (45 years old or older). Project sites on properties with a structure of historic age may need to be surveyed for eligibility. If no such structures are present, provide a statement affirming no structures of historic age are impacted. ~~A copy of THC confirmation should accompany the first request for reimbursement to NCTCOG.~~

Construction Requirements:

[International Code Council \(ICC\)](#) general construction requirements must be followed for the project.

[Institute of Electrical and Electronics Engineers, Inc.](#) charger interface standards must be observed.

Installation Requirements:

The specification/requirements for construction and installation of charging station systems must meet or exceed equipment and system efficiency standards established in:

- [SAE](#) Combined Charging System charging protocols
- 2018 IECC or later versions as may be adopted by any local authority having jurisdiction over the project

Standard Warranty: All labor and materials will have a warranty for at least one (1) year from date of substantial completion.

The proposed installation and any impacts on existing building systems must comply with applicable local building codes such as the National Electrical Code ("NEC"), and the National Fire Protection Association (NFPA).

Charging station installation must be performed by a Texas Master/Journeyman Electrician licensed to transact business in the State of Texas and who maintains appropriate types and levels of insurance coverage.

Solid Waste Disposal Requirements:

The Solid Waste Disposal Act, 42 U.S. Code, Chapter 82, must be followed. Grant recipients will require and ensure the handling, disposal, transportation, record keeping, and final disposition of any substance or construction waste considered harmful, hazardous, or toxic to be in accordance with the applicable Federal, State, or Local laws and regulations. A copy of the disposition letter shall be provided to NCTCOG. The reuse or resale of removed equipment is not allowed.

Permitting, Zoning, and Code Requirements:

Grant recipients must obtain any required federal, state, and local government, utility and/or electrical permits and approvals. Grant recipients must comply with any permitting, zoning, code, and approval requirements. Certification that all requirements have been met is required from the installing electrician.

Correspondence from Utility:

As part of the application, Applicants must attach a letter from the project's applicable utility provider indicating initial review of the project and feasibility of project completion by the implementation deadline of July 31, 2023.

Property Management Requirements:

Grant recipients must utilize and maintain grant-funded equipment in a manner consistent with the goals and objectives of these Guidelines and federal property management requirements in 2 CFR 200.313. This means that grant recipients must maintain grant-funded equipment in good working order and operate them in a manner consistent with the grant until the fair market value is \$5,000 dollars or less, or as long as needed, whether or not the program or project continues to be supported by the Federal award. The grant recipient must contact NCTCOG for further instructions regarding disposition. If, at the end of the Activity Life, the grant-funded equipment retains value to NCTCOG or NCTCOG's funding agency, and the equipment is no longer used for the purposes outlined in the grant, the grant recipient may sell and use the proceeds to replace like for like. Equipment may not be sold, scrapped or otherwise disposed of until written approval is received from NCTCOG. Sale, scrap or other disposal without NCTCOG approval or when fair-market value exceeds \$5,000, could result in a partial return of grant funding.

Emissions Credit:

Applicant must surrender all emissions reductions to NCTCOG to meet air quality requirements and goals. The recipient may not utilize emissions reductions to satisfy other air quality commitments unless otherwise agreed to by NCTCOG.

Voluntary Reductions:

Projects must be voluntary in nature and not required by any local, state, or federal law, rule, regulation, memorandum of agreement, or other legally binding document.

Disadvantaged Business Enterprise (DBE) Participation:

The NCTCOG Transportation Department has an overall Disadvantaged Business Enterprise (DBE) participation goal of 19.4 percent. Specific DBE goals are established for procurement types, dependent upon the type of services being procured. The specific goal identified for the purchase of transportation equipment is **7.70%** of the contract amount. Awarded applicants will be required to demonstrate good faith efforts towards meeting the DBE goal established for this procurement type. NCTCOG suggests that applicants take the following affirmative steps to assure DBE participation:

- Assure that DBEs are solicited whenever they are potential sources.

- Establish delivery schedules, where the requirement permits, which encourage participation by DBEs.
- Require any applicant contractors to take these affirmative steps.

If the Applicant does not utilize a cooperative, additional language regarding Disadvantaged Business Enterprise Goals may be needed in solicitation documents to ensure compliance.

APPLICATION PROCESS

Application forms and supporting resources are available through www.nctcog.org/agfunding; click the “Electric Vehicle Charging Station Call for Projects” link. As part of applying, applicants must also complete a Risk Assessment, which is available at: <https://www.surveymonkey.com/r/AQEVCSAFP>.

Round 1 application packets including the application form and required attachments must be received, “in-hand”, by 5:00 pm, Friday, April 22, 2022. *If funds remain after Round 1, Round 2 application packets will be accepted beginning April 25, 2022 and competitively evaluated after the Round 2 application deadline of 5:00 pm, Friday, May 20, 2022.*

An in-hand submittal may consist of either a hard-copy proposal or a flash drive delivered by the deadline. An electronic submittal may also be submitted to cleancities@nctcog.org. However, the electronic submittal is not sufficient to constitute an application on its own and will only be considered a courtesy/convenience copy. Applications received after 5:00 pm on the application deadline will not be considered and will be returned to the applicant unopened; a postmark by the published deadline does not constitute an on-time application. Due to the ongoing COVID-19 pandemic, NCTCOG will accept both wet and electronic signatures on required certification forms.

Applications should be addressed to:

**North Central Texas Council of Governments
Transportation Department
Electric Vehicle Charging Station Call for Projects
Attention: Amy Hodges
616 Six Flags Drive
Arlington, TX 76011**

Hard copy applications received “in hand” by 5 p.m. by the application deadline (Round 1 or Round 2) will be considered competitively with other applications received by that application deadline. Evaluation will be based on the selection criteria outlined on page 12. Mailed applications which are postmarked by this time but have not yet been received are not considered “in hand.” Applications must be in a sealed envelope with a return address on the outside. Faxed applications will not be accepted.

Applicants are encouraged to submit in advance of the submission deadline to allow staff time to review the application for completeness.

Steps to Apply: All the items listed below must be “in hand” by the application deadline for a project to be deemed complete.

- Submit Online Risk Assessment (including any required attachments)
Online Risk Assessment: <https://www.surveymonkey.com/r/AQEVCSAFP>
- Application Form (including Part 1, Part 2, Part 3, and Part 4)
- Required Attachments:
 - Budget Form (see Appendix B **and Excel file template posted on CFP web page**)
 - Correspondence from Utility (see page 10)
 - Photos of each proposed Site in the Application (aerial and ground-level photos)
 - Signed Copy of Clean Fleet Policy (if not already on file with NCTCOG) (see page 5)
- Recommended Attachments:
 - Documentation supporting budget estimate (see page 8)
 - Cooperative Purchasing Contract(s), if applicable (see page 14)
 - Buy America Certification Form (see page 8, Appendix A)

A completed and signed Buy America Certification form is encouraged to be attached along with a domestic content worksheet (**example posted on the CFP web page**). The Buy America Certification form must be completed and signed by the original equipment manufacturer identified through a cooperative procurement contract. This form is included as Appendix A **and is posted on the CFP web page**.

Use of Consultants:

Private consultants may be available to assist in completing and submitting an application. These consultants do not represent NCTCOG, and NCTCOG neither encourages nor discourages the use of a consultant to assist with the application process. NCTCOG has no agreement with any consultant and applications submitted by a particular consultant will not receive any more favorable treatment than other applications. Fees charged by a consultant are the responsibility of the applicant and may not be charged to the grant, either directly or as an addition to the cost basis of the grant-funded equipment. Moreover, NCTCOG staff are available to field application questions as needed.

SELECTION CRITERIA

Applications will be evaluated on a competitive basis with other applications received upon the appropriate deadline (Round 1 or Round 2). Each site may receive up to 100 points in project scoring. Up to 75 points can be earned under the Advancing Electrification category and up to 25 points can be earned under the Subrecipient Oversight Criteria as outlined below.

NCTCOG intends to comply with Justice40 and will evaluate top-scoring projects to ensure that, in total, the selected projects fulfill Justice40 requirements that at least 40 percent of benefits

flow to traditionally underserved communities. NCTCOG will reference the [Joint Office of Energy and Transportation's EV Charging Justice40 Map](#) to identify Justice40 communities.

Applicants may include multiple project sites in their application. NCTCOG reserves the right to fund some, but not all, sites in each application, as each individual location will likely score differently.

- **Advancing Electrification – Up to 75 Points**

- Locations that Fill Gaps in Existing Infrastructure Network and/or Enable New Fleet Electrification
 - Sites Located in a Jurisdiction with No Existing Charging Stations
 - Sites that Serve an Applicant Fleet with No Existing EVs
 - The Number and Type of Fleet Vehicles Expected to Use Charging Stations
 - The Ability to Charge Multiple EVs at One Time
 - Locations Proposed by an Applicant that Identifies Broader, Long-Range Plan to Electrify
- Locations that Serve or Provide Benefits to Communities Prioritized by the Justice 40 Initiative, as identified by the [Joint Office of Energy and Transportation's EV Charging Justice40 Map](#)
- Sites that Include Strategies to Minimize Grid Impacts
 - Applicants identify plans to manage charging so that load is shifted off-peak as much as practicable
 - “Smart” charging or other managed charging features
 - Charger Features Such as Integrated Storage, etc.
 - Chargers with Vehicle to Grid Capabilities

- **Subrecipient Oversight Criteria – Up to 25 Points**

- The project's benefits will be compared to NCTCOG's burden to administer the project. Elements may include:
 - Ease of federally complaint procurement determination.
 - Cooperative procurement contracts provided with application.
 - Buy America form(s) signed by manufacturer provided with application.

NCTCOG may base funding decisions on factors associated with best achieving the purpose of the CFP and is not obligated to select a project for funding. Additionally, NCTCOG may select parts of an application for funding or offer to fund less than the amount requested in an application.

GRANT ADMINISTRATION & PROJECT IMPLEMENTATION REQUIREMENTS

NCTCOG will notify all applicants whether the project has been awarded and, if so, grant amounts awarded. The notification will be sent to all points of contact identified on the grant application. *This notification is not authorization to begin work.* Entities selected to receive grant funding will be required to execute an agreement with NCTCOG to formally accept grant funding.

Applicants who receive a grant award will be required to meet with NCTCOG staff prior to implementing their project to explain all grant expectations. If awarded, the steps to implement generally are as follows. Steps 3 and 4 may be expedited if applicants purchase through a cooperative purchasing contract and submit relevant documentation with the application form.

Step 1: Sign Agreement with NCTCOG

No grant activities may begin until after the agreement between NCTCOG and the grant recipient is fully executed. “Grant activities” in this case includes vendor selection or placement of equipment purchase orders. **All activities must be on hold until execution of a grant agreement and procurement review and approval by NCTCOG.**

Step 2: National Environmental Policy Act (NEPA) Review

While installation of EV charging infrastructure generally does not result in significant environmental impacts, an environmental review must be completed. NCTCOG will coordinate with successful applicants to complete this process.

Step 3: Conduct a Federally Compliant Procurement

NCTCOG must approve the recipient’s planned procurement process prior to the subrecipient placing purchase orders or otherwise proceeding with any procurement steps.

Grant recipients are required to comply with federal procurement requirements regarding fair and open competition when making purchases. These requirements also impact the process through which a purchase can be made. Applicants should review NCTCOG’s Subgrantee Procurement Procedures document, which is available at www.nctcog.org/aqfunding/forms, to ensure understanding of these requirements. In summary, these procedures require that awardees:

- Maintain a written code of conduct related to contract award and administration;
- Maintain a contract administration system to ensure vendors and contractors perform according to the terms;
- Conduct procurement transactions in an open, fair and competitive manner; and
- Maintain written procurement procedures.

The Third-Party Procurement Procedures provide guidance on the requirements for each type of procurement by dollar threshold. Projects under this proposal will fall under one of the following procurement methods:

- Purchases under \$150,000: must obtain at least two competitive written quotes
- Purchases over \$150,000: must follow requirements for one of the following:
 - Publicly Advertised Sealed Bid Process
 - Publicly Advertised Competitive Proposal Process
- Public sector entities may make purchases through federally compliant governmental cooperative purchasing programs

Applicants are strongly encouraged to purchase equipment through a federally compliant cooperative purchasing program. To-date, NCTCOG has reviewed several cooperative purchasing contracts and determined that certain contracts on BuyBoard and Sourcwell (formerly NJPA) purchasing cooperatives do meet federal requirements. However, this does not mean every contract under the aforementioned cooperatives have been approved for use and each individual contract must be reviewed by NCTCOG. If no cooperative is available, applicant must provide their plan to have a federally compliant procurement.

If the recipient chooses to follow a Request for Proposals process, NCTCOG must review and approve the Request for Proposals and proposed advertisements prior to the Request for Proposals being issued to ensure that federal and state terms and conditions are properly incorporated.

NCTCOG uses a Third-Party Procurement Review Checklist to determine whether awardees have complied with the procurement requirements. NCTCOG staff is available to assist awarded applicants with any questions. Applicants are encouraged to review these procedures carefully prior to applying.

Step 4: Confirm Buy America Compliance

Upon vendor selection, NCTCOG will review Buy America documentation to ensure compliance with FHWA Buy America requirements.

Step 5: Complete Purchases in Accordance with Agreement and Scope Requirements

Grant recipients may be required to grant NCTCOG a security interest in any grant-funded equipment and document fulfillment of this requirement prior to reimbursement being issued. The security interest may consist of filing a Uniform Commercial Code -1 (UCC-1) financing statement or a performance bond that identifies NCTCOG as having an interest.

NCTCOG shall relinquish such security interest when all federal interest in the grant-funded equipment is fulfilled (generally, this occurs when fair market value falls below \$5,000).

Step 6: Submit for Reimbursement

Grants will be made on a reimbursement basis for eligible expenses incurred and paid by the grant recipient. A cost may not be considered incurred until the grant-funded equipment has been paid for by the grant recipient. Requests for reimbursement shall include documentation to show that the equipment and services have been received and expenses paid by the grant recipient. **All eligible expenses must be paid in full (not financed, etc.) in order to be reimbursed.** Reimbursement request forms are available at www.nctcog.org/aqfunding/forms.asp.

- Applicants must reduce the amount requested to be reimbursed by the value of any existing financial incentives that directly reduce the cost of the activity, including tax credits or deductions, other grants, anticipated scrap value, or any other public financial assistance. Any financial incentives that directly reduce the cost of the activity must not already be tied to emission reduction commitments (i.e. funding from the Texas Emissions Reduction Plan may not be used as matching funds).

- Applicants must submit the following information with each reimbursement request:
 - Texas Master/ Journeyman Electrician Name and License number who supervised the work;
 - Texas Master/ Journeyman Electrician certification that the charging station equipment was installed in accordance with manufacturer's recommendations, and meets applicable codes for the application; and
 - Close out warranty information and spec/cut sheets for each charging station.

Step 7: Reporting and Equipment Use

- **Project Status Report:** Grant recipients must submit reports regarding project status on a monthly basis until final reimbursement is issued.
- **Annual Asset Management Reporting:** Grant recipients will be required to submit annual reports until property management requirements are fulfilled. This report will also ensure compliance with 2 CFR 200.313. Required reporting will include, but is not limited to, the following information for each activity:
 - Usage
 - Asset Condition
 - Location
- **Public Awareness:** To further enhance the partnership and marketing of emission reduction efforts, the grant recipient must agree to place a label on grant-funded equipment if requested by NCTCOG.
- **Notification of Changes:** Recipients must agree to notify NCTCOG of changes in the following until all federal interest is fulfilled: termination of use, change in use or location, sale, transfer, or accidental or intentional destruction of grant-funded equipment. Any sale, transfer, or decision to terminate use must be pre-approved by NCTCOG and may trigger repayment associated with property management requirements.

Awarded applicants are obligated to fulfill agreement requirements including, but not limited to, surrender of eligible emissions credits, and completion of reporting requirements to NCTCOG until all federal interest in the grant-funded vehicles/equipment is fulfilled. Failure to comply with these requirements may result in return of all or a pro-rata share of the grant funds to NCTCOG.

CONTACT INFORMATION

Please submit any questions or comments about this funding initiative to:

Email: AQgrants@nctcog.org

Website: www.nctcog.org/aqfunding

NCTCOG Project Staff:

Jared Wright
Air Quality Planner II
817-608-2374
jwright@nctcog.org

Amy Hodges
Principal Air Quality Planner
817-704-2508
ahodges@nctcog.org

1 <https://www.epa.gov/ozone-pollution-and-your-patients-health/health-effects-ozone-general-population>

2 <http://www.gpo.gov/fdsys/pkg/FR-2015-10-26/pdf/2015-26594.pdf>

3 https://www.epa.gov/sites/production/files/2017-12/documents/tx_ltr_12_22_17.pdf

4 https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

Appendix A

BUY AMERICA CERTIFICATION

The undersigned certifies that the following equipment complies with the Federal Highway Administration Buy America requirements under 23 CFR 635.410 requiring a domestic manufacturing process for any steel or iron products (including protective coatings). A valid Buy America Certification shall include both a signed certification and a domestic content worksheet.

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

To be considered domestic, all steel and iron used and all products manufactured from steel and iron must be produced in the United States and all manufacturing processes, including application of a coating, for these materials must occur in the United States. Coating includes all processes which protect or enhance the value of the material to which the coating is applied. This requirement does not preclude minimal use of foreign steel, and iron materials that does not exceed one-tenth of one percent of the total contract cost or \$2,500, whichever is greater.

Name, Title

Company

Date

BUY AMERICA CERTIFICATION

The undersigned cannot certify that the following equipment complies with the Federal Highway Administration Buy America requirements under 23 CFR 635.410 requiring a domestic manufacturing process for any steel or iron products (including protective coatings). A valid Buy America Certification shall include both a signed certification and a domestic content worksheet.

1. _____
2. _____
3. _____
4. _____
5. _____

The Buy America certification cannot be made for the following reasons:

Name, Title

Company

Date

Appendix B

Project Budget

Item Description	Quantity	Purchase Unit Cost	Total Cost (Quantity × Unit Cost)	Financial Incentive Amount	Eligible Cost
Design					
Subtotal					
Engineering					
Subtotal					
Equipment					
Subtotal					
Construction					
Subtotal					
Installation					
Subtotal					
Project Total					