

NEVI Phase 1 RFP: Pre-bid Questions and Responses

November 7, 2023

1. In section 2.7, titled “Electric Rates Discussion” (page 19), the RFP states, “In consideration of the financial assistance provided by the State, the Proposer covenants that the price charged to end users for EV charging shall be reasonable.” What is considered reasonable? Should this not reflect the federal payment standards, similar to what other states have done?

Response: Per § 680.106 (m) “Use of Program Income” states Proposers may use revenue generated from the operation of charging stations for debt service, a reasonable return on investment, and/or costs for operation, maintenance, and site improvement. Proposers will need to include sufficient information in their operations and maintenance plan for NHDOT to evaluate and confirm that revenue will be used in accordance with the Federal Rule.

2. P.19 2.7 Electric Rates Discussion: In determining NHDOT’s definition of “reasonable prices for end users”, since demand charges are not an eligible cost, there is no reimbursement program and unlike other states, the PUC hasn’t approved a demand charge relief program, will NHDOT consider it reasonable to recover utility demand charge costs by charging a commensurate price to end users?

Alternatively, will NHDOT consider it reasonable to base costs on the Eversource EV-2 rate that bills demand charges volumetrically?

Response: See response to Question 1 above.

3. In Table 7: Scoring Criteria, the last section, “Section Number 5.3.14: Cost Breakdown, forms, Narrative and Pricing” (page 56), the “Score Breakdown Points” section states: “1 to 20pts: Based on the level of detail of the budget and cost proposal submitted.” Is the full 20 points a qualitative review or the actual cost scored? If purely qualitative, is there no incentive to ask for less than 80% funding?

Response: Qualitative and Quantitative review will be utilized based on the Cost Breakdown forms, Narrative, and pricing.

4. If we permanently attach (or have available mounted on the EV) a NACS adapter to our chargers that have a CCS port, would that qualify for our application? NACS is still very new for the industry, and our top choice of extra fast charger is not ready with their NACS port charger yet. If you would not accept this in the application I understand, we have an alternative charger manufacturer.

Response: Yes, provided the adapter is 1) directly or indirectly compatible with and ancillary to a permanently attached Combined Charging System (CCS) connector for DCFC ports, or to a permanently attached J1772 connector for AC Level 2 chargers; 2)

approved by the charger manufacturer to ensure consistency, safety and reliability; 3) fully integrated into the charger such that it cannot be removed from the site; and 4) otherwise complies with the NEVI Formula Program under the Highway Infrastructure Program heading in Title VIII of division J of the Bipartisan Infrastructure Law, enacted as the Infrastructure Investment and Jobs Act (Pub. L. 117-58) and 23 CFR 680.

5. P.13 Withholding: If NHDOT will reduce the withholding disbursements for downtime in excess of the 97% federal minimum requirement, to provide an effective “stick and carrot”, would it consider a “catch-up” payment in following years when uptime exceeds 97%? This could help offset penalties for a period of downtime in a single year out of the 5 year contract period. This would provide an incentive to “win back” withheld funds.

Response: No, if the 97% uptime is not met in one year, a “catch-up” payment in following years will not be given for exceeding the minimum uptime requirement.

6. If the Federal standards change such that the project would or wouldn't be eligible for the NEVI requirements, what will be the process for reevaluating project scores?

Response: The basis of the scores will be from the latest federal requirements listed in the RFP and once awarded the sites will not be reevaluated if guidance further changes.

7. In the glossary it states that a Proposer can represent joint ventures between two or more entities. In section 2.3 Eligible proposers, it also states that proposers' binding agreements with project partners will become part of the proposer's contract with the state. Is the proposer of a joint venture required to stipulate which entity will be bound to the agreement with the state at the time of application?

Response: Yes, the proposer is required to stipulate at the time of the application the entities bound to the agreement. That entity will be signing an Agreement with the State of New Hampshire.

8. What is the difference between a Proposer of a joint venture versus a sub proposer?

Also, is a Sub proposer also expected to become part of the agreement with the state?

Response: The Proposer of the joint venture will be the prime contract holder that initiates and leads the venture. A sub proposer may be added to the project team as support for the prime proposer with specific items/tasks. Sub proposers identified in the Proposal are expected to enter into an agreement with the Proposer. Any changes to the Proposer's Team after the Proposal is submitted will need to be approved by NHDOT.

9. On Page 17: (v): With regards to Non-Eligible costs, there is currently no Eversource utility make ready program that will cover the utility infrastructure costs. Furthermore, there are no outstanding dockets at the PUC that if approved would cover any utility infrastructure costs. “costs for electric utility infrastructure needed to connect and serve new evse” is a broad term and encompasses a significant amount of the costs in labor and materials. Furthermore, per the Eversource manual, so-called “front of the meter” or “Utility side” labor and materials are not exclusively the responsibility of the utility e.g. In Eversource NH territory, installing the transformer vault is the responsibility of the customer and will not be included in the utility response form “anticipated cost of upgrades to serve the facility”. Please can you be specific on which infrastructure items are eligible versus non-eligible.

Response: All equipment between the Pole at street to charger is eligible for reimbursement so long as it is dedicated to the EVSE. Any upgrades to the utility on the utility side of the pole will not be covered. Transformers and vaults are eligible expenses.

10. 3.2 Charging Station Requirements: Across various states, awards have been made for battery-integrated systems that are not capable of pulling a full 600kW directly from the grid and therefore cannot provide true non-stop 150kW/port or 600kW/site of output of “continuous power delivery.” as would be implied by the NEVI language in the Federal requirements 23 CFR 680.106(d)(1):

“Power level. (1) DCFC charging ports must support output voltages between 250 volts DC and 920 volts DC. DCFCs located along and designed to serve users of designated AFCs must have a continuous power delivery rating of at least 150 kilowatt (kW) and supply power according to an EV's power delivery request up to 150 kW, simultaneously from each charging port at a charging station. These corridor-serving DCFC charging stations may conduct power sharing so long as each charging port continues to meet an EV's request for power up to 150 kW.”

Moreover, the capacity of the batteries is not enough to provide that level of output for the National Electric Code’s more limited definition of “continuous” which is at least 3 hours. What metric or specification will be used to determine if battery-integrated systems have sufficient output levels to be considered “continuous” for New Hampshire NEVI awards?

Response: The Federal NEVI Requirements language from 23 CFR 680.106(d)(1) will be the governing requirement: “DCFCs located along and designed to serve users of designated AFCs must have a continuous power delivery rating of at least 150 kilowatt (kW) and supply power according to an EV's power delivery request up to 150 kW, simultaneously from each charging port at a charging station. These corridor serving DCFC charging stations may conduct power sharing so long as each charging port continues to meet an EV's request for power up to 150 kW.”

11. 3.2 Charging Station Requirements: Does the proposed hardware require a UL certification at the time of application? Also, If one technology is proposed and needs to be changed at a later date (after the award notification), what is the process for approval and will this need to be re-scored?

Response: 23 CFR 680.106 (g) Equipment certification. “States or other direct recipients must ensure that all chargers are certified by an Occupational Safety and Health Administration Nationally Recognized Testing Laboratory and that all AC Level 2 chargers are ENERGY STAR certified. DCFC and AC Level 2 chargers should be certified to the appropriate Underwriters Laboratories (UL) standards for EV charging system equipment.”

Any technology changes after contract award must be approved by NHDOT. This will require a change order process subject to approval by NHDOT. The Proposal will not be re-scored once the contract has been executed.

12. 3.6 (b) NEPA: Will NEPA be required for all projects or just those located on state owned land? Will the state also be handling all the cost of the process?

Response: NEPA will be handled by the State of New Hampshire including the cost. It will be required for all projects.

13. 3.6 Design Stage Deliverables: Test standards: To maintain consistency for EV drivers, which standards should we use for the test? For example, in testing the performance as required in the Federal requirements: 23 CFR 680.106(d)(1): i.e. 4 EVs that draw 150kW of continuous power simultaneously. During the test, what period of time does the EVSE need to maintain “continuous power delivery”?

Response: NEVI Federal Requirements found in 23 CFR 680 shall be the governing standards for the testing.

14. P. 32 Table 5: Are the eligible sites limited to the locations listed in the table? Could a site that is one exit north or south of the listed locations be considered eligible in Phase 1?

Response: The eligible locations are limited to the locations listed in the table for this Phase.

15. P.32 Table 5: The Rochester and Wakefield locations are 18-20 miles apart. Could NHDOT award sites in both Rochester and Wakefield?

Response: Yes, the intent is to award a station in both locations.

16. P.43 xvi: Performance Bond Requirement: should the bond cover the entire construction of the project as well as the O&M portion or just the O&M for 5 years? Also, is a bid bond and performance bond an eligible cost?

Response: The bid bond shall cover design and construction and the performance bond shall cover the O&M portion of the project. These are not eligible costs.