



North Dakota Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) Program

Notice of Funding Opportunity
October 17, 2024

1	Overview	1
1.0	Background	1
2	Attachments and Reference Documents.....	2
2.1	Attachments	2
2.2	Reference Documents	2
3	Applicant Eligibility	2
3.1	Eligible Applicants	2
3.2	Ineligible Applicants	3
3.3	Application Limitations and Requirements	3
4	Eligible Projects	3
4.1	Project Requirements	3
4.2	Priority Location Clusters	4
4.3	Eligible Costs.....	5
4.4	Ineligible Costs	6
5	How to Apply	6
5.1	General Application Requirements	6
5.2	Application Contents.....	6
5.2.1	Technical Application Form	7
5.2.2	Cost Proposal Form.....	7
5.2.3	Letter from the Site Owner.....	8
5.3	Application Timeline.....	8
5.4	Application Submission.....	9
5.5	Application Questions	9
5.6	Amendment or Withdrawal of an Application	10
5.7	North Dakota DOT Discretion	10
5.8	Disqualification of Applications	10
5.9	Process for Clarification of Application Information	10
5.10	Disposition of Applications and Copyrights	11
6	Evaluation of Applications.....	11
6.1	Evaluation Process	11
6.1.1	Step 1: Responsiveness Check	11
6.1.2	Step 2: Technical Application Scoring Criteria and Evaluation	11
6.1.3	Step 3: Cost Proposal Evaluation	16

6.1.4	Step 4: Score Tabulation	16
6.1.5	Step 5: Award	16
6.2	Application Irregularities and Clarifications	16
7	Post-Award	16
7.1	Execution of Agreement	16
7.2	Reimbursement Mechanism	17

Figures

Figure 4-1	North Dakota ATCMTD Station Locations.....	4
------------	--	---

Tables

Table 4-1	Priority Station Locations	4
-----------	----------------------------------	---

1 OVERVIEW

1.0 Background

The FAST Act established the Advanced Transportation and Congestion Management Technologies Deployment Program to make competitive grants for the development of model deployment sites for large scale installation and operation of advanced transportation technologies to improve safety, efficiency, system performance, and infrastructure return on investment. North Dakota was awarded \$1,199,000 from the FHWA's Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) Program to address electric vehicle user range anxiety in rural areas. Supported by the Continuing Appropriations Act, 2021, and leveraging funds from the FAST Act, this project aims to implement advanced transportation technologies to enhance safety, efficiency, and infrastructure performance. The initiative seeks to provide environmental and economic benefits, improve mobility, and support community revitalization, particularly for disadvantaged populations.

1.1 Introduction

The North Dakota Department of Transportation (NDDOT) is seeking Applicants for this Notice of Funding Opportunity (NOFO) to participate in the deployment of charging infrastructure across the state. The NOFO published under this competitive selection provides available funding for updates to existing electric vehicle supply equipment (EVSE) and new charging sites within identified communities along State Highways that meet all requirements detailed in this NOFO.

NDDOT's goal is to deploy EVSE strategically to support the development of convenient, accessible, reliable, and equitable EVSE infrastructure in 16 rural communities throughout the state.

This NOFO focuses on design, construction, acquisition, installation, operations, maintenance, and ownership of EVSE infrastructure at locations where there is a lack of EVSE sites. NDDOT will not own or operate any EVSE. The EVSE infrastructure and project sites will not be located within state-owned right-of-way. This NOFO includes requirements for direct current fast charging (DCFC) equipment, site selection, installation, operations and maintenance (O&M), and reporting.

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

1.2 Applicability of 23 CFR 680 (The NEVI Rule)

Projects awarded as a result of this NOFO will be funded from the ATCMTD program. Because the focus of the awarded projects will be the installation and operation of EVSE, 23 CFR 680, also referred to as the NEVI rule, is applicable to funded projects with the following minor exceptions, which have been approved by FHWA:

- 23 CFR 680.106 (b) - Number of charging ports
 - Projects awarded as a result of this NOFO must have a minimum of two 150kW ports at each priority location instead of four ports. Applicants are encouraged to submit applications requesting funding for 4 ports, but will be required to provide 2 ports per site, at a minimum.
 - Projects can include Level 2 charging ports with a minimum power rating of at least 6 kW
 - Projects can include additional DCFC ports with a power rating of at least 50kW

- 23 CFR 680.116 (b) – Minimum uptime
 - Projects awarded as a result of this NOFO will not be required to meet the average annual uptime of greater than 97%.

All other sections of 23 CFR 680 are applicable to projects awarded as a result of this NOFO.

2 ATTACHMENTS AND REFERENCE DOCUMENTS

2.1 Attachments

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

- Attachment 1 – Technical Requirements
- Attachment 2 – Scope of Work
- Attachment 3 – Technical Application Form
- Attachment 4 – Proposed Project Schedule
- Attachment 5 – Cost Proposal Form
- Attachment 6 – Utility Coordination Form
- Attachment 7 – Draft Agreement
- Attachment 8 – Wage Rates
- Attachment 9 – FHWA Form 1273

2.2 Reference Documents

Applicants are urged strongly to conduct their due diligence as it relates to the NEVI Rule, and the federal, state, and local laws that apply to this funding. The following reference documents are available: *National Electric Vehicle Infrastructure Standards and Requirements*, *Federal Highway Administration (FHWA) NEVI Program Guidance*, *Bipartisan Infrastructure Law NEVI Program Fact Sheet*, *FHWA NEVI Program Frequently Asked Questions*, and the *ATCMTD Program Website*. Applicants are also encouraged to review *NDDOT's NEVI program website*, and the *North Dakota Electric Vehicle Implementation Deployment Plan (EVIDP)* and subsequent updates.

3 APPLICANT ELIGIBILITY

3.1 Eligible Applicants

Eligible Applicants for this funding opportunity include, but are not limited to:

- For-profit businesses
- Privately owned electric utilities
- Non-profit organizations
- Teaming partnerships that include the above eligible entities. A clear primary Applicant and point of contact are required.
- Tribal Entities

3.2 Ineligible Applicants

Ineligible Applicants include:

- Government entities as primary applicants
- Municipal utilities as primary applicants
- Political subdivisions
- Entities or individuals who are currently suspended or debarred by the state of North Dakota or the federal government

3.3 Application Limitations and Requirements

Each application can include only one charging site. Applicants may submit only one application per identified community. Applicants may submit applications for more than one community. Applications for locations outside of the identified communities will not be accepted.

4 ELIGIBLE PROJECTS

4.1 Project Requirements

This grant program aims to help establish a DCFC infrastructure network consisting of sites with a minimum of two ports capable of continuous charging at a minimum 150 kW concurrently.

All applicable requirements of ***Title 23 United States Code (U.S.C.)*** and ***2 Code of Federal Regulations (CFR) Part 200*** apply to the administration of these funds. This includes, but is not limited to, ***23 CFR 680 (exceptions noted above)***; ***FHWA 1273***; the ***Davis-Bacon Act***; Attachment 8, Wage Rates; the ***Americans with Disabilities Act of 1990 (ADA)***; ***Title VI of the Civil Rights Act of 1964***; the ***National Environmental Policy Act of 1969 (NEPA)***; and the ***Build America, Buy America (BABA) Act***. EVSE funded under any agreement resulting from this NOFO will be covered by the ***Build America, Buy America (BABA) Implementation Plan to Enhance Buy America for Electric Vehicle (EV) Chargers***.

The ***USDOT Waiver of Buy America Requirements for De Minimis Costs and Small Grants*** applies to projects funded under this RFP if the total amount of Federal financial assistance applied to the project is less than \$500,000. If the project falls under the waiver – that is to say, the total amount of Federal financial assistance applied to the project is below \$500,000 – then, the waiver applies but only to transformers, iron, steel, manufactured products, and construction materials actually used in the project. The aforementioned waiver does not apply to EVSE. A ***separate waiver does apply to EVSE*** chargers.

The FHWA has a standing BABA waiver under 23 U.S.C. 313(b), known as the Manufactured Products General Waiver, which has been in effect since 1983 and covers manufactured products that are not predominantly steel and iron and are funded under title 23, U.S.C.[4] See 48 FR 53099 (Nov. 25, 1983).

A partial list of manufactured products waived from BABA requirements can be found below.

- Controls and Switches
- Electrical Cabinetry and Housings (such as electrical boxes/enclosures)
- Electrical Conduit
- Electrical Junction Boxes

- Generators
- Instrumentation
- Meters (including service connection)
- Sensors
- Voltage Transformer

In addition to these requirements, the Awardee must comply with all other applicable federal, state, and local laws, standards, and requirements. All relevant terms within the NOFO are assumed to use the definitions as defined in **23 CFR 680**.

The Awardee will be required to provide at least a 50 percent contribution (Applicant Cost Share) in dollars to the overall project costs authorized by an agreement between the Awardee and NDDOT.

4.2 Priority Station Locations

Stations must be located in or near one of the 16 communities identified in Table 4-1, each of which will be awarded a single charging station. Table 4-1 lists the driveshed, or driving distance from the intersection, in each community for which NDDOT will accept applications. For example, any property within 5 driving miles of the intersection of Hwy 2 and Broadway St. in Minot is eligible for funding, assuming the applicant can meet all other program requirements. An interactive map is available for reference. ([See map](#))

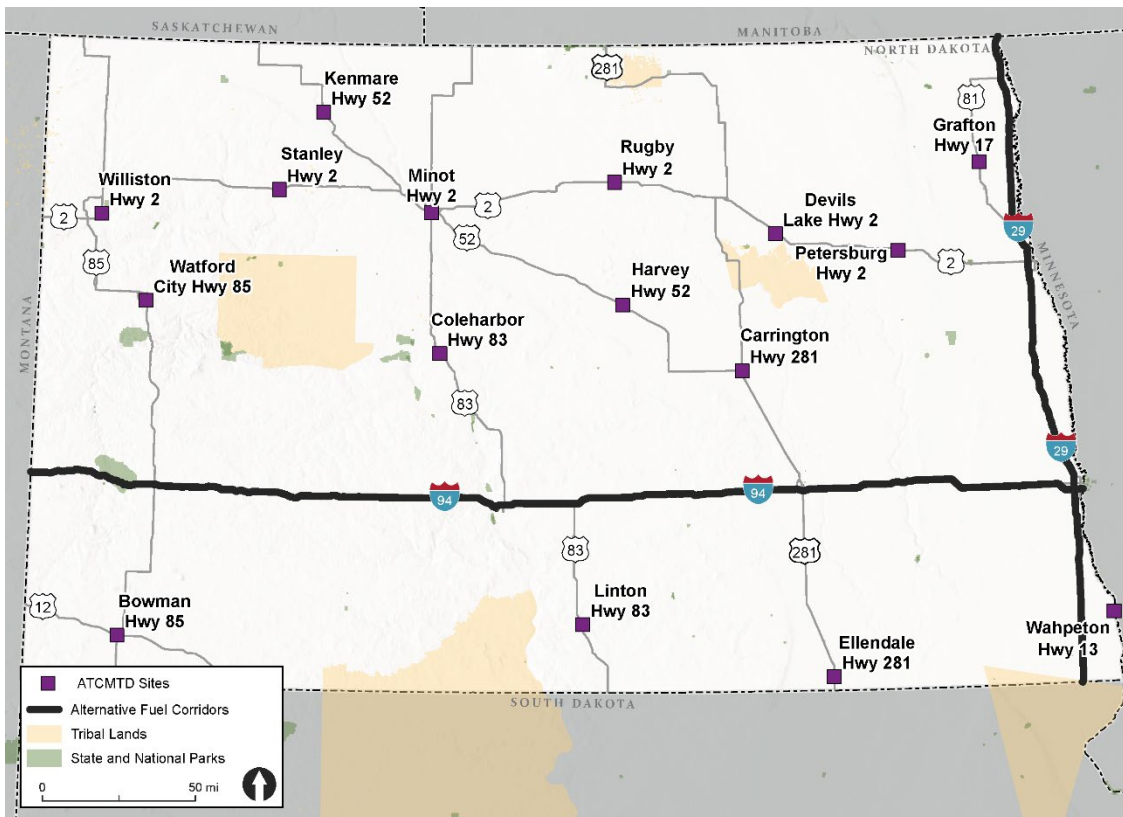


Figure 4-1 North Dakota ATCMTD Station Locations

Table 4-1 Priority Station Locations

Community	State Highway Intersection	Intersection Latitude	Intersection Longitude	Driveshed (miles)
Williston	Hwy 2 and 2 nd Ave W	48.197682	-103.62627	4
Watford City	Hwy 85 and Hwy 23	47.764465	-103.292608	5
Stanley	Hwy 2 and Hwy 8	48.306956	-102.375135	5
Kenmare	Hwy 52 and 42 nd Ave NW	48.676675	-102.071983	1
Minot	Hwy 2 and Broadway St.	48.207531	-101.296032	5
Coleharbor	Hwy 83 and 32 nd Ave NW	47.543896	-101.227512	10
Bowman	Hwy 85 and Hwy 12	46.178604	-103.409876	2
Linton	Hwy 83 and W Sampson Ave	46.26562	-100.234903	1
Ellendale	Hwy 281 and 97.5 St SE	46.002554	-98.527348	1
Wahpeton	Hwy 13 and 6 th St N	46.263938	-96.60834	2
Grafton	Hwy 17 and 9 th St E	48.412439	-97.407833	2
Devils Lake	Hwy 2 and College Dr N	48.102477	-98.864952	2
Petersburg	Hwy 2 and 5 th St	48.006877	-98.003171	7
Carrington	Hwy 281 and Hwy 200	47.457329	-99.117272	2
Harvey	Hwy 52 and 7 th St W	47.768229	-99.935074	3
Rugby	Hwy 2 and Hwy 3 S	48.354748	-99.998831	2

4.3 Eligible Costs

Awardees will be reimbursed for eligible capital costs according to the submitted Cost Proposal Form (Attachment 5). Costs for operations and maintenance are not eligible for reimbursement. Applicants may apply for up to 50 percent federal cost share of the eligible costs, with a minimum required 50 percent match from non-federal sources. The remaining project costs are the Applicant’s responsibility. For further information on cost eligibility, refer to [FHWA guidance](#) and their [Frequently Asked Questions \(FAQ\)](#).

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

Examples of eligible costs include:

Capital costs, including:

1. Costs for pre-construction work, including environmental documents and studies, preliminary engineering, and related work
2. Construction costs (as defined under 23 U.S.C. 101(a)(4)) related directly to EV charging station
3. Costs for planning, permitting, acquisition, and installation of on-site distributed energy resource equipment (e.g. stationary batteries)
4. Costs to purchase or lease and install on-site electric service equipment (e.g., power meter, transformer, switch gear)
5. Costs of minor electric service and distribution grid updates (work necessary to provide adequate service and connect a charging station to the electric grid distribution network, similar to extending or upgrading existing power lines)
6. Costs to install signage at site

7. Costs for workforce development activities
8. Costs to procure, install, repair, upgrade, and/or replace existing EV charging equipment to meet NEVI minimum standards and requirements as defined in the NOFO
9. Costs to procure and set up EV charging equipment related hardware and software
10. Costs to upgrade existing EV charging stations to meet ADA requirements
11. Costs to purchase and install proprietary adapters, including additional connector types and/or adapters on the required two charging ports with CCS connectors
12. Costs to upgrade the project site to meet NOFO requirements, including canopies above chargers, pull-through spaces for charging, seating, safety lighting for EV charging area, security cameras for EV charging area, and additional parking spaces dedicated to EV charging.
13. Up-front warranty costs

4.4 Ineligible Costs

Ineligible costs are expenses deemed to be ineligible by 23 CFR 680, as well as other applicable federal, state, and local laws.

Ineligible costs include, but are not limited to:

1. Costs incurred prior to a fully executed agreement with NDDOT
2. Costs not related directly to vehicle charging
3. Costs for lobbying, or for the intervention in state, federal regulatory, or adjudicatory proceedings
4. Costs for construction or general maintenance of building and parking facilities (if not related directly to vehicle charging), including the construction and upgrade of restrooms, parking lot or spaces not for exclusive EV charging use, access road, and new ingress/egress from access road
5. Costs of major grid upgrades (e.g., longer line extension or upgrades, improvements to offsite power generation, bulk power transmission, substations)
6. Level 1 chargers
7. Utility service upgrade costs covered by the utility
8. Costs covered by programs or tariff rules of the electric utilities
9. Costs for indirect expenses
10. Direct or indirect costs for purchase of real estate
11. Costs for Operations and Maintenance

5 HOW TO APPLY

5.1 General Application Requirements

Applicants are responsible for conducting their due diligence, including understanding all terms and conditions of the NOFO documents and applicable federal, state, and local laws. **It is recommended that Applicants review the reference documents listed in Section 2.1 thoroughly.** Questions should be submitted to NDDOT according to the instructions in this NOFO.

5.2 Application Contents

To apply, submit the following application materials, which can be found at <https://www.dot.nd.gov/atcmtd>

Each application must include the following completed attachments and documents, as further described in this NOFO and in the format identified:

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

- Attachment 3 – Signed Technical Application Form, including all required information detailed in Attachment 3 (Searchable PDF format, file name: Attachment 3 Technical Application Form)
- Attachment 4 – Proposed Project Schedule (Excel format, file name: Attachment 4 Proposed Project Schedule)
- Attachment 5 – Signed Cost Proposal Form (Excel format, file name: Attachment 5 Cost Proposal)
- Letter from the site owner (Searchable PDF format, file name: Letter from Site Owner)
- Attachment 9 - Acknowledgement of FHWA Form 1273 (Searchable PDF format, file name: Form 1273 Acknowledgement)
- Acknowledgement of all issued addendums, as needed (format to be detailed in addendum, file name: Acknowledged Addendums)

Note: All submitted PDFs shall be searchable, including images from scanned print-offs. Any application that contains a PDF that is obfuscated and not searchable may be deemed non-responsive.

5.2.1 Technical Application Form

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

5.2.2 Proposed Project Schedule

Applicants must provide a completed Attachment 4. Proposed Project Schedule. Applicants must provide a detailed Proposed Project Schedule based on the requirements outlined in the NOFO. The schedule must address the Tasks outlined in the Scope of Work, including, but not limited to, critical activities, key milestones and required reviews. The schedule shall include the timeframes and dates to meet all Tasks, activities, and requirements of the Project, including reporting deadlines. Applicants must provide an estimate for when each task will begin, how many days you expect each task to take, and what team (or subcontractor) will be performing the task. The completed Project Schedule should clearly indicate in detail all the steps required to complete the Project and should illustrate a clear understanding of the Project requirements. The Proposed Project Schedule will be evaluated based upon the completeness and level of detail provided, illustrating the Applicant has a clear and comprehensive understanding of the Project requirements. The Proposed Project Schedule will also be evaluated based on the realistic nature of the schedule timeline.

5.2.3 Cost Proposal Form

Applicants must provide a completed Attachment 5, Cost Proposal Form. An Applicant must enter the required information in the Cost Proposal Form and shall not change any formula within the form. The

Cost Proposal Form will calculate the Applicant’s maximum total project reimbursement and will be used to establish the maximum budget for the project. Within Attachment 5, Cost Proposal Form, each Applicant is required to follow the instructions provided in the attachment and provide the following:

- The requested reimbursement (%) for capital costs, which shall not exceed 50 percent
- The project costs for each cost item, as identified in Attachment 5. Costs shall include only items eligible under this NOFO as defined in Section 4.3 Eligible Costs

5.2.4 Letter from the Site Owner

The Applicant shall ensure public access to the proposed site for the life of the agreement. This shall include any property required for ingress and egress. A letter from the site owner of the proposed site must be provided by each Applicant. **The letter from the site owner shall also include proof of ownership.** If the proposed site is controlled via a long-term lease, the lessee must provide a similar letter stating their intent to provide access to the site, as described above, as well as a copy of the lease highlighting the section of the lease that gives them the right to agree to the terms of the proposed site host agreement. The letter must include the following statements **exactly as written** below:

- The proposed site will be available to the Applicant for the entire length of the proposed agreement for the purpose of acquiring, constructing, installing, operating, and maintaining an EV charging station in accordance with 23 CFR 680 and all applicable laws and regulations.
- The proposed site will be accessible to the Applicant, NDDOT, and their agents for the entire length of the Agreement, providing 24-hour written notice for access to the site outside of normal business hours.

NDDOT reserves the right to determine the sufficiency of the letter. The letter from the site owner will not be scored, but will be part of the administrative responsiveness check.

5.3 Application Timeline

The timeline below outlines the activities and corresponding dates that all Applicants must meet. NDDOT may update this timeline and will notify participants by posting an addendum on dot.nd.gov/ATCMTD. It is the Applicant’s responsibility to refer to dot.nd.gov/ATCMTD on a regular basis for such updates.

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

ACTIVITY	DATE	TIME*	DETAILS
Final NOFO Released	October 17, 2024		dot.nd.gov/atcmtd
Question Period	October 17 – November 14, 2024	5 p.m. CT	All questions can be sent to dotatcmtd@nd.gov
Answers Posted	Posted weekly		dot.nd.gov/atcmtd

Applications Due	December 16, 2024	5 p.m. CT	All applications to be sent to dotatcmtd@nd.gov .
Notice of Award (anticipated)	March 17, 2025		Website and by Email
Execution of agreement (anticipated)	May 1, 2025 (Includes all requirements outlined in Section 7.1 below)		To be detailed in Notice of Award

5.4 Application Submission

Applicants shall submit the signed, completed application, with the required contents noted in Section 2, Application Contents, as separate attachments and in the file format noted above to dotatcmtd@nd.gov *mailto:*. The email subject line shall be **Applicant Name – North Dakota ATCMTD, Community Name**. NDDOT has a 100 MB limit on incoming e-mails. Zip files will not be accepted. Multiple emails can be sent to submit the application if the 100 MB limit will be exceeded; however, the email sequence (i.e., 1 of 3, 2 of 3, etc.) must be included in each subject line.

5.5 Application Questions

Questions or requests for clarification about this NOFO may be submitted in writing via email to dotatcmtd@nd.gov. Verbal or audio recorded questions will not be addressed. Applicants shall not contact any other NDDOT personnel, consultants, or agents regarding this NOFO from the date of advertisement until an award is issued by NDDOT. Violation of this section by an Applicant may be grounds for rejecting an application(s) from that Applicant. NDDOT will respond to questions on a rolling basis during the question-and-answer period referenced in Section 5.3.

Questions should be addressed via email with the following information. Questions that do not identify all of the requested information will not be addressed.

- NOFO Document Name
- NOFO Document Section #
- NOFO Document Page #
- Question

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

Any person requiring a special accommodation due to a disability should contact NDDOT by email at dotatcmtd@nd.gov or assistance with this NOFO at least 5 business days prior to the activity or action for which assistance is needed.

5.6 Amendment or Withdrawal of an Application

Applicants may withdraw or amend and resubmit project applications at any time before the deadline. The amended application or withdrawal must be in writing, with an applicant authorized signature consistent with the original submission.

5.7 North Dakota DOT Discretion

NDDOT reserves the right to reject any or all applications at any time prior to the execution of an agreement.

NDDOT is not obligated to fund an application from an Applicant that has demonstrated marginal or unsatisfactory performance on previous competitive selections or contracts with NDDOT or other state agencies.

NDDOT reserves the right to verify information contained in the application. This may include using publicly available information.

5.8 Disqualification of Applications

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

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

5.9 Process for Clarification of Application Information

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

5.10 Disposition of Applications and Copyrights

All applications become NDDOT property and will not be returned to the Applicant at the conclusion of the selection process. Contents of all applications will be in the public domain and open for inspection by interested parties, subject to North Dakota Law and other applicable laws.

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

6 EVALUATION OF APPLICATIONS

6.1 Evaluation Process

NDDOT will use the following process to evaluate applications:

6.1.1 Step 1: Responsiveness Check

All applications will be reviewed for responsiveness (responsiveness check) to confirm the application meets the NOFO requirements. The responsiveness check is a two-step, pass/fail assessment. The first step is an administrative responsiveness check. Applications that fail the administrative responsiveness check will be deemed non-responsive and will not be evaluated further.

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

Applications must meet minimum NEVI requirements per 23 CFR 680 with the exceptions noted above in section 1.2. This includes, but is not limited to, the requirements outlined in Attachment 3, Technical Application form.

6.1.2 Step 2: Technical Application Scoring Criteria and Evaluation

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

TECHNICAL SCORING CRITERIA		MAXIMUM POINTS POSSIBLE (175 TOTAL)
1. Applicant Background, Experience, and Team Organization	Evaluation Considerations	32
Applicant Team Organization: Provide an organizational chart per Attachment 3, Technical Application Form.	Evaluators will consider the following: <ul style="list-style-type: none"> Organizational chart that clearly outlines the relationship between different team members as well as clearly outlines roles and responsibilities 	10

TECHNICAL SCORING CRITERIA		MAXIMUM POINTS POSSIBLE (175 TOTAL)
<p>Prior Experience with 100 kW or Higher Port Past Projects: Provide prior EVSE experience per Attachment 3, Technical Application Form.</p> <ul style="list-style-type: none"> • 10 pts for 16+ projects • 5 pts for 11–15 projects • 3 pts for 5–10 projects 		10
<p>Prior Experience with Title 23 Funding and Federal Programs: Describe the Applicant team experience with Title 23 funding and federal programs.</p>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> • Identification of responsible team members • Examples of relevant projects that have been completed demonstrating experience and understanding 	3
<p>Prior Experience with Davis-Bacon Act Compliance: Describe the Applicant team experience with Davis-Bacon Act compliance.</p>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> • Identification of responsible team members • Examples of relevant projects that have been completed demonstrating experience and understanding 	3
<p>Prior Experience with Build America, Buy America Act Compliance: Describe the Applicant team experience with Build America, Buy America Act compliance.</p>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> • Identification of responsible team members • Examples of relevant projects that have been completed demonstrating experience and understanding 	3
<p>Prior Experience with State Funded Government Projects: Describe the Applicant team experience with State Funded Government Projects</p>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> • Identification of responsible team members • Examples of relevant projects that have been completed demonstrating experience and understanding 	3

TECHNICAL SCORING CRITERIA		MAXIMUM POINTS POSSIBLE (175 TOTAL)
2. General Project Approach and Understanding		30
<p>Project Approach and Understanding: Provide a detailed Proposed Project Schedule per Attachment 4, Proposed Project Schedule. Describe the project approach and understanding per Attachment 3, Technical Application Form.</p>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> • Identification of responsible team members for each task in proposed project schedule • Clear understanding of requirements outlined in 23 CFR 680 • Detailed project schedule that illustrates a clear and comprehensive understanding and approach to delivering the project. • Comprehensive, and realistic project schedules that include tasks outlined in the Scope of Work and all required activities to successfully complete project 	25
<p>EVSE Information and Approach to Utility Coordination: Provide the requested EVSE and utility information per Attachment 3, Technical Application Form.</p>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> • Proof of coordination/outreach to utilities • Descriptions of commitments and actions already taken • Detailed utility information provided • Detailed EVSE information provided 	5
3. Site Proposal		85
<p>Proposed Site Details, Design, and Layout and Area Map: Describe the proposed site details, design, layout, and area map, and identify each item clearly in a preliminary site design and layout or the area map as described in Attachment 3, Technical Application Form.</p> <ul style="list-style-type: none"> • 10 pts for ease of entry, access, and visibility from the main road directly off the State Highway • 10 pts for site safety, ease of navigation for pedestrians on the site, signage, lighting, striping of walkways, security, cameras, etc. • 10 pts for existing and proposed site characteristics, including 	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> • Clarity of description and visualization of site details, characteristics, and amenities • Quality of site details, characteristics, and amenities • Protected vs. unprotected turns • Number of turns required to access site • Distance from the highway • Ability for pedestrians to safely traverse the site via pavement markings and/or sidewalks • Distance to amenities, such as bathrooms, food and drink • Hours of availability of amenities • Visibility of chargers from main building for safety 	40

TECHNICAL SCORING CRITERIA		MAXIMUM POINTS POSSIBLE (175 TOTAL)
<p>hours of access to bathrooms, food, drink, and amenities, as well as quality of amenities</p> <ul style="list-style-type: none"> 10 pts for site layout for ease of EVs getting around the site, pull-through islands, siting and protection of equipment, oversize spaces vs. normal spaces, no one way directions, etc. 	<ul style="list-style-type: none"> Location of chargers on site and ability for EVs to easily navigate in and out of charging spots 	
<p>Primary Amenities: Points as detailed below for each of the following publicly and ADA-accessible applicable items within 1,000-foot walking distance.</p> <ul style="list-style-type: none"> Access to EVSE 24/7: 8 points Access to Restrooms <ul style="list-style-type: none"> Available 24/7: 6 points Available at least 5 days a week and at least 6 hours each day: 3 points Access to Food and Drink <ul style="list-style-type: none"> Available 24/7: 6 points Available at least 5 days a week and at least 6 hours each day: 3 points Retail/Shopping on-site <ul style="list-style-type: none"> Available 24/7: 4 points Available at least 5 days a week and at least 6 hours each day: 2 points Canopy above chargers: 6 points Space for pull-through passenger trucks pulling trailers: 6 points Security Cameras overlooking EVSE on site: 4 points On-Site Staff: 5 points 	<p>Requirements for Amenities:</p> <ul style="list-style-type: none"> Food and Drink can include vending machines, fast food options, ability to purchase food from convenience store, and restaurant. Access to a water fountain does not meet the definition of access to food and drink. Retail can include convenience store, retail store, and other shopping opportunities that have a selection of non-depreciable goods. Canopy is defined as a physical structure covering the EVSE that provides protection from the elements. Trees do not meet the definition of canopy. Pull-through space for passenger trucks pulling trailers must be able to charge the vehicle with the trailer attached without blocking drive aisles or access to other chargers. Security Cameras must cover the EVSE and all areas required to traverse to access any site amenities. On-site staff must be able to provide assistance with EVSE charging, including payment issues, operating the chargers, and basic troubleshooting. 	45
4. Innovation and Resiliency		18
<p>Resiliency: 2 points for each of the following criteria.</p>	<p>Evaluators will consider the following:</p> <ul style="list-style-type: none"> Identification and description of proposed site elements to improve site resiliency 	8

TECHNICAL SCORING CRITERIA		MAXIMUM POINTS POSSIBLE (175 TOTAL)
<ul style="list-style-type: none"> • Back-up power generator for EVSE use (on site generator/power supply or contract to provide back-up power to EVSE) • Undergrounding of lines/conduits for utility feed (excludes conduit run from transformer to EVSE) • Energy storage (Battery energy storage system) • Future proofing (must include construction of element to support future proofing such larger transformer installed for future EVSE, conduit installed for future EVSE, etc.) 		
Output Voltage Range: 5 points if EVSE is capable of providing DC output voltages over the entire range of 250–920 volts (VDC).		5
EVSE Operating Temperature: 5 points if EVSE is capable of operating below -23 Fahrenheit.		5
5. Workforce, Equity, and Rural Considerations		10
Approach to Workforce: Describe the approach to workforce per Attachment 3, Technical Application Form.	Evaluators will consider the following: <ul style="list-style-type: none"> • Identification of responsible team members for each activity • Identification of subcontractors with required workforce qualifications • Identification and discussion of approach to achieving EVITP certification for workforce • Identification and discussion of leveraging of local workforce training programs • Description of approach to recruiting and retaining a qualified workforce • Descriptions of commitments and actions already taken 	5
Project is located within 1 mile of a Disadvantaged Community (DAC) or historically disadvantaged community per CJEST Tool		5

The technical score will be calculated by averaging the total scores from each review committee member. NDDOT reserves the right to hold consensus meetings.

6.1.3 Step 3: Cost Proposal Evaluation

The cost score for each cost proposal will be calculated according to the formula detailed below.

SCORING CRITERIA – COST PROPOSAL	MAXIMUM POINTS POSSIBLE
Cost Proposal	25
<p>The cost proposal will be evaluated based on the Applicant’s maximum total project reimbursement, as calculated and defined in Attachment 5, Cost Proposal Form.</p> <p>The lowest maximum total project reimbursement for each community will receive a total of 25 points. All other cost proposals will be normalized and ranked according to the following calculation:</p> $\text{Cost Score} = \frac{\text{Lowest Maximum Total Project Reimbursement from all Responsive Applicants per community}}{\text{Maximum Total Project Reimbursement from Applicant}} \times 25$	25

6.1.4 Step 4: Score Tabulation

The final score for each responsive application will be calculated by adding the technical score to the cost score. The maximum final score for any application is 200 points. The review committee will finalize all award recommendations. The review committee will provide a recommendation to the ATCMTD Steering Committee, which will be comprised of three to five NDDOT representatives. The ATCMTD Steering Committee will finalize all award decisions.

NDDOT has final decision-making authority to award an agreement to the selected Applicants.

6.1.5 Step 5: Award

NDDOT will notify successful Applicants and post the intent to award on [NDDOT's ATCMTD program website](#). An agreement may be awarded to a responsive application that has been recommended by the review committee and approved by the ATCMTD Steering Committee.

6.2 Application Irregularities and Clarifications

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

7 POST-AWARD

7.1 Execution of Project Agreement

The Applicant shall sign the project agreement within 45 calendar days of receipt of the project agreement. At the time of execution of the project agreement, the Applicant shall provide the following documents:

- Signed Site Host Agreement
 - The Site Host Agreement shall include proof of ownership and shall have an effective date no sooner than the date of execution of the project agreement. The site host agreement must include the details outlined in Section 5.2.4, Letter from the Site Owner, and must address what occurs if either party becomes in default with either the site host agreement or the project agreement the Awardee has with NDDOT.
 - If the site is controlled via a long-term lease, the lessee must also provide a letter from the Site owner, as well as a copy of the lease highlighting the section of the lease that gives the lessee the right to agree to the terms of the Site Host Agreement.
- Signed Letter from the Utility
 - The signed letter from the utility shall confirm that the utility will provide electrical service to the Applicant at the proposed site.
- Proof of registration to do business in North Dakota
- Any additional certificates or documents deemed necessary by NDDOT

7.2 Reimbursement Mechanism

Awardees will be eligible to submit invoices for reimbursement in accordance with the following:

- **Capital Construction Payment:** Cost reimbursement may be claimed upon full compliance with and completion of Tasks 1, 2, 3, and 5, as detailed in Attachment 2, Scope of Work. Supporting documentation of actual costs incurred is required, including invoices and proof of payment for reimbursement of costs already paid by the Awardee.
 - **Capital Construction Payment Withholding:** NDDOT will withhold 20 percent of the total capital maximum reimbursement amount claimed. Of this withholding, 20 percent will be released on an annual basis, if all reporting requirements and obligations of the agreement are met.
- **Final Payment:** Cost reimbursement may be claimed for all remaining withholding upon compliance with and completion of Tasks 4, 5, and 6, as detailed in Attachment 2, Scope of Work.

NDDOT will only pay up to the maximum total project reimbursement detailed in the cost proposal form during the application process, and all costs will be finalized in the final agreement.