

# **Updated Electric Vehicle Charger Reliability and Accessibility Accelerator**

## **Frequently Asked Questions**

### **Question 1:**

In the list of eligible sites (Attachment 7), our company doesn't have any sites. Can we still apply for this EVC RAA program? Or this program is exclusively for existing operators and site owners?

### **Answer:**

Per the [EVC RAA Notice of Funding Opportunity](#) (Pages 3 and 4), "... eligible Applicants are limited to:

1. Equipment and/or Charging Network Providers for eligible charging stations.
2. EV Service Providers that own and operate eligible charging stations.
3. Pre-qualified applicants who were selected through ODOT's competitive [Request for Qualifications \(RFQ\)](#) for ZEV charging and fueling infrastructure and are on the Prequalified Applicant list.
4. Electric utility service providers to eligible charging stations.
5. Public entities with eligible charging stations located on the public entity's property."

If your company is on the Prequalified Applicant list, your company is eligible to apply for EVC RAA funding.

### **Question 2:**

I want to clarify the NEVI requirement for the Electric Vehicle Charger Reliability and Accessibility Accelerator funding opportunity offered by the Oregon Department of Transportation. The National Electric Vehicle Infrastructure (NEVI) Formula Program's 23 CFR 680 states that federally funded EV charging stations must have at least four network-connected charging ports.

Does this mean that each charger unit needs to have four ports, or can it be four chargers with single ports? We're looking to confirm whether this requirement is per site or per electric charger unit.

**Answer:**

[23 CFR 680](#) contains the following definitions:

- [Charging station](#) means the area in the immediate vicinity of a group of chargers and includes the chargers, supporting equipment, parking areas adjacent to the chargers, and lanes for vehicle ingress and egress. A charging station could comprise only part of the property on which it is located.
- [Charger](#) means a device with one or more charging ports and connectors for charging EVs. Also referred to as Electric Vehicle Supply Equipment (EVSE).
- [Charging port](#) means the system within a charger that charges one EV. A charging port may have multiple connectors, but it can provide power to charge only one EV through one connector at a time.

[23 CFR 680.106 \(b\)](#), Number of charging ports, states the following:

1. When including DCFCs located along and designed to serve users of designated AFCs, charging stations must have at least four network-connected DCFC charging ports and be capable of simultaneously charging at least four EVs.
2. In other locations, EV charging stations must have at least four network-connected (either DCFC or AC Level 2 or a combination of DCFC and AC Level 2) charging ports and be capable of simultaneously charging at least four EVs.

Each Charging Station must have 4 charging ports capable of simultaneously charging at least four EVs, but the configuration of chargers to charging ports can vary. The example you mentioned, a charging station with 4, single-port chargers, would be allowed.

**Question 3:**

Would this program cover costs we are in the process of incurring?

Our public charging site was vandalized last month where just under a dozen cables were cut.

**Answer:**

Section 3.9 “Ineligible Costs for Reimbursement” of the [Notice of Funding Opportunity - Electric Vehicle Charger Reliability and Accessibility Accelerator](#) lists the following:

- Costs incurred prior to a fully executed grant agreement with ODOT.

~~However, if~~ the charging station is listed in Attachment 7 - [List of Eligible Charging Stations](#).  
~~As such, the charging station it~~ may be eligible for the project activities listed in section 3.5. “Eligible Project Activities” of the NOFO (assuming it meets the conditions outlined in Section 3.3. “Eligible Charging Stations” as well as all other applicable requirements listed in the application materials).

In short, the EVC RAA program can fund repairs, replacements, and upgrades for up to four ports at Eligible Charging Stations, so long as the costs are incurred after agreement execution.

Current EVC RAA program rules only allow up to 4 ports to be funded at a charging station, regardless of how many ports are at the site. ODOT is in the process of exploring with FHWA if exceptions can be made for this rule on a case-by-case basis at the time of awarding the grants. However, we are advising applicants to apply under the current rules, up to 4 ports funded, as these exceptions are not guaranteed.

#### **Question 4:**

Will ODOT consider an Applicant if they prepare and submit a response to ODOT’s RFQ for ZEV charging and fueling infrastructure, to join the qualified Applicant list, in parallel to submitting an EVC RAA proposal? The list appears to be composed of entities primarily interested in NEVI and better suited to lead large DC fast-charging projects. EVCRAA is a very different program by design, with a combination of Level 2 and DC fast chargers that require repair, replacement, or upgrades to meet 23 CFR 680, and providing flexibility for Eligible Applicants will likely lead to more responses.

#### **Answer:**

ODOT will not be evaluating new submissions for the Pre-Qualified Applicant List in time for the EVC RAA application deadline. However, EVC RAA applicants may also be eligible if they fall under these other categories:

- Equipment and/or Charging Network Providers for eligible charging stations.
- EV Service Providers that own and operate eligible charging stations.
- Electric utility service providers to eligible charging stations.
- Public entities with eligible charging stations located on the public entity's property.

**Question 5:**

Given the necessary due diligence to respond to the NOFO, including reviewing sites, site host and utility engagement, and completing a thorough application, will ODOT consider extending the application due date? Providing additional time will allow applicants to prepare a more thorough and quality proposal for ODOT to review.

**Answer:**

ODOT will not consider extending the application due date at this time. This accelerated timeline is needed to meet the program goals set by FHWA.

**Question 6:**

We have recently upgraded the following 4 charging stations with new, faster, more reliable chargers. Are we able to apply for EVC RAA funding retroactively for these sites?

**Answer:**

Section 3.9 “Ineligible Costs for Reimbursement” of the [Notice of Funding Opportunity - Electric Vehicle Charger Reliability and Accessibility Accelerator](#) lists the following:

- Costs incurred prior to a fully executed grant agreement with ODOT.

Unfortunately, as the costs to upgrade the charging stations were incurred prior to a fully executed grant agreement with ODOT, those costs specifically would not be eligible for EVC RAA funding.

However, please note the following from section 3.3 “Eligible Charging Stations” from the NOFO:

“If a formerly inoperable charging port has been repaired, but the charging station has not been upgraded to CFR 680 standards (including having four ports at each site), the charging station still qualifies for EVC RAA funding.”

**Question 7:**

During the 10/11/2024 EVC RAA webinar, ODOT staff stated chargers not located on an AFC must be replaced “like for like”.

With BABA compliance and current and future customer experience in mind, would a CPO be permitted to install dual-port 350 kW chargers (175 kW per port) to replace existing 50 kW chargers?

Can ODOT specify where in the FHWA NOFO it states that any eligible DCFC ports not on an AFC cannot be replaced with a higher power charger?

**Answer:**

Grantees cannot be reimbursed for costs associated with installation of dual-port 350 kW chargers (175 kW per port) as a replacement for existing 50 kW chargers if the existing charger is not located on an AFC.

The Federal Highway Administration has provided the following answer:

Projects that exceed the standards and requirements in 23 CFR 680 are ineligible for program funding under EVC-RAA (See page 10 of the FHWA Notice of Funding Opportunity).

The scenario would be considered as exceeding the standards and requirements in 23 CFR 680.

**Question 8:**

Is it possible to receive a list of eligible site host owners? The list and heat map make it difficult to understand who to reach out to. Most phone numbers are 1-800 lines.

**Answer:**

ODOT does not have a list of eligible Site Owners.

**Question 9:**

We are concerned that there will not be enough projects to release all \$10.8 million in funding. Are you considering altering the scope to installing new public chargers?

**Answer:**

New chargers can be installed as an “upgrade” activity so long as they are located at eligible charging stations and meet all other circumstances and requirements outlined in the NOFO.

**Question 10:**

I read Section 3.1 Eligible Applicants as: The current or future Equipment and/or Charging Network Providers for eligible charging stations. Is this correct? The eligible applicant section does not specify, and there are many owners who may be dissatisfied with their current provider.

**Answer:**

No. An EVSE or network provider (not on the Pre-qualified Applicant List) may be eligible for this opportunity in either of the first two Categories of Eligible Applicants:

1. Equipment and/or Charging Network Providers for eligible charging stations – the applicant either currently owns the eligible equipment or has a current network operation agreement with the equipment owner.
2. EV Service Providers that own and operate eligible charging stations – the applicant currently owns and operates the eligible station.

ODOT aimed to convey this by using the present tense rather than the future tense.

ODOT recognizes that site owners may not be satisfied with their current provider, which is why we opened the applicant pool to entities on our Pre-qualified Applicant list (Category 3 of Eligible Applicants). To stay informed on when ODOT's next review of submissions for the Pre-qualified Applicant List, please [sign up for email updates about our EV charging infrastructure work](#).

**Question 11:**

We have a few queries regarding the contractual terms and legality concerning the equipment involved. Specifically, we have noted that our organization currently does not have any sites listed by the Oregon Department of Transportation (DOT). The existing chargers in the provided list are associated with other operators.

In the event that the ports at these locations are inoperable, would our organization be permitted to replace the EVSE of another charge point operator? Additionally, we would like to confirm if there would be any conflict-of-interest concerns arising from such a replacement.

**Answer:**

ODOT is not involved in the relationship between the Applicant and the existing EV Service Provider (EVSP). Under certain conditions, an applicant may be able to replace the existing

electric vehicle supply equipment (EVSE) installed by another provider at an eligible charging station. While ODOT cannot provide legal advice to applicants, the answers to the following questions may help guide applicants in making their own determination whether they can replace the EVSE installed by another provider:

- Who owns the EVSE?
- Who sold the EVSE to the Site Host and what were the terms of the sale (e.g., contract terms governing the disposition of EVSE at the end of its useful life)?
- If the network operator owns the EVSE or sold it to the Site Host with contractual obligations, and there is an ongoing network services agreement, does the service agreement place limits on the disposition of the EVSE? Are there other contract terms that could limit the Site Host under these circumstances?

### **Question 12:**

Our company is on the Prequalified Applicant list, but we had a couple of questions before we apply for EVC RAA funds. Is ODOT willing to consider a partial SOW where, as an EVSE manufacturer and turnkey provider offers to service and maintain units at specific locations without taking on the 20% match share.

### **Answer:**

ODOT will not consider awarding a partial contract for charger maintenance and servicing. Grantees are required to repair, replace, or upgrade the chargers as well as maintain them for the duration of the Operations and Maintenance period.

Additionally, grantees are required to provide at least a 20 percent contribution (Applicant Cost Share) to the eligible project costs that are authorized by an agreement between the Grantee and ODOT.

Note: Only select maintenance costs (such as service level agreements (SLA) or charger warranties, not to exceed the 5-year period of required operations and maintenance) are eligible for EVC RAA funding, as identified in section 3.8.3 "Eligible Costs for Reimbursement."