

Kansas Department of Transportation
Request for Proposals – National Electric Vehicle Infrastructure Program
Frequently Asked Questions
Updated May 31, 2024

Site Requirements

Q. Are there any exceptions for the on-site food requirement?

A. No. Hot prepared and/or prepackaged food must be available on-site for a minimum of 15 hours/day. Any reference to 16 hours is a typographical error.

Q. Are onsite restrooms required to be publicly accessible without the requirement of purchase?

A. Yes. Any purchase requirement would be met by the purchase of EV charging.

Q. What is the definition of 'on-site'? Is there a distance requirement?

A. On-site is defined as having the same address or being located on the same land parcel as the charging station.

Q. Will charging stations that allow reservations for charging be allowed?

A. Yes, as long as the reservation does not result in a discount on usage fees and a membership is not a requirement for nor offer a discount on usage of the station.

Q. Does the 1-mile distance from the corridor start at the beginning or end of the exit ramp?

A. Per page 23 of the National Electric Vehicle Infrastructure Formula Program Guidance, “the 1 mile should be measured as the shortest driving distance from the Interstate Highway System exit or highway intersection to the proposed station at the time of the proposal.” The 1-mile distance may be measured from the end of the exit ramp or loop (in other words, where the ramp/loop intersects or merges with the adjoining road) to the nearest entrance of the host site. Whichever exit or ramp is nearest the station may be used. Note that the eligible area maps linked in the RFP have been updated for accuracy, however they are provided for informational and planning purposes only. Actual distance will be determined for each proposed location based on the above criteria. See the example in **Figure 1** below for clarification on distance measurement.

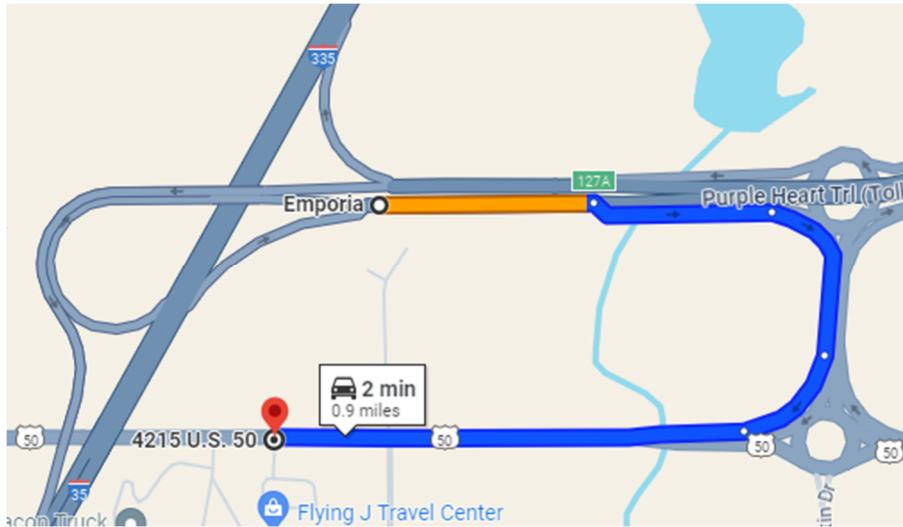


Figure 1
 The map at left shows the Flying J Travel Center is 0.9 miles from I-335. The distance is measured from the point where the I-335 exit joins I-35 (black circle) to the nearest entrance of the station property (red pin).

- Q. Can proposals be submitted for stations more than 1 mile from the corridor?
- A. Stations more than 1 mile from the corridor are eligible only in the Baxter Springs, Dodge City, and Parsons locations pending FHWA approval of the exception request. The Bipartisan Infrastructure Law has many funding opportunities outside of the NEVI Formula Program to support EV charging. See the document [“Federal Funding is Available For Electric Vehicle Charging Infrastructure On the National Highway System”](#) for more information.
- Q. For the locations that have eligible areas needing FHWA approval (Baxter Springs, Dodge City, and Parsons), will preference be given to sites that are in the already approved FHWA locations (i.e. within 1 mile of the corridor)?
- A. No. The lowest responsive bidder will be selected in each target location from all submitted proposals. For the Baxter Springs, Dodge City and Parsons locations, sites within 1 mile of the corridor or within the alternate eligible areas will be considered responsive for meeting corridor distance requirements. See the Eligibility/Review Procedures/Contracting section for more details on what constitutes a responsive bidder.
- Q. Per NEVI guidelines at least 1 dispenser must be ADA compliant. Are Kansas requirements exceeding this requirement?
- A. KDOT accessibility standards are aligned with the federal standards. Per the U.S. Access Board [Design Recommendations for Accessible Electric Vehicle Charging Stations](#), a charging station with 4 dispensers (chargers) must have 1 dispenser which meets requirements for [Accessible Mobility Features](#) including adequate spacing and clear floor or ground clearance. All dispensers should meet requirements for [Accessible Communication Features](#) to enable usage of EV chargers by people with hearing or vision impairments, little people, and other people with disabilities who may not need accessible mobility features, such as access aisles. Additional information is available in the [Joint Office of Energy and Transportation Webinar: Designing for Accessible EV Charging Stations](#).
- Q. Is the notarized agreement with the site host referenced in *Section 4.2.1-4a. Partnerships* the same as the "Site Host Form" that is required, or does a separate Site Host Agreement have to be secured, notarized, and provided as a minimum requirement of submission?
- A. A completed Site Host Form is required for a proposal to be considered responsive and satisfies the requirement for a Site Host Agreement.

Q. For the site host form, will a DocuSign signature from the owner suffice instead of a notarized signature?

A. No. The site host form must be notarized.

Q. Is existing site lighting sufficient to satisfy requirements for “dusk-to-dawn area lighting... along a path to the associated building” or will proposers be required to install additional lights along the path? Often, the only reasonable ADA access route to the site host amenities cuts through a parking lot, (e.g. perimeter parking in a shopping center) where installing lighting could potentially obstruct traffic flow on-site.

A. Existing lighting may meet the requirement. However, it is expected that if the site does not currently have dusk-to-dawn area lighting at the charging port location and reasonably along the path to the restroom, food, and emergency shelter, additional lighting would be required as part of the project proposal.

Q. If proposers are responsible for installing lighting beyond existing site lighting present in the installation vicinity, what minimum distance between light sources is required? (e.g. no less than 50' between light poles)

A. The ADA Accessibility Standards do not have a minimum distance between light sources. Area lighting should be sufficient to see charging ports at night and provide lighting sufficient to access amenities.

Q. If the path to the building is through a parking lot, how far away from the path itself can proposers install lighting to still satisfy these requirements while remaining mindful of potential traffic obstructions and not installing lighting on the path itself?

A. The stated requirement is “area lighting”. Dedicated lighting on a travel path is not required, however the pedestrian path to amenities should be visible from area lighting during dark hours.

Utilities and the Utility Form

Q. Has KDOT coordinated with utilities covering eligible areas and designated a utility contact to support evaluation of NEVI sites?

A. KDOT has communicated with utilities providing service along Alternative Fuel Corridors in Kansas regarding the NEVI Formula Program. There are multiple electric utilities serving the priority areas for this round of RFPs. The specific utility contact for a proposal will depend upon the location of the site. The site host should be able to provide the name of the utility serving their location.

Q. Are utility costs considered operating costs? Electricity costs? Demand charges?

A. Utility costs associated with minor grid upgrades may be considered installation costs or operating costs and could be eligible expenses. From page 7 of the [National Electric Vehicle Infrastructure \(NEVI\) Formula Program Q&A](#), “Costs for minor grid upgrades are eligible, provided the work is necessitated solely by the construction or upgrading of the EV charging station and participation in the upgrade does not exceed the allocable cost of the minimum upgrades needed to match the planned power requirements of the EV charging station. A minor grid upgrade is defined as the work necessary to connect a charging station to the electric grid distribution network.... Major grid upgrades, such as longer line extensions or upgrades, improvements to offsite power

generation, bulk power transmission, or substations are ineligible.” Electricity costs and demand charges are not eligible costs.

Q. Are the local utilities aware of the RFP timeline?

A. KDOT has communicated with utilities regarding the EV charging plans under the NEVI Formula Program including the expectation of a utility service confirmation. It is incumbent upon the Proposer to complete the top portion of the Utility Service Confirmation form and submit it to the specific utility serving the site in a timely manner so as to meet proposal deadlines.

Q. Will applications still be accepted if applicants are unable to get signatures from the utility? Engaging utilities can be a time intensive process and obtaining signatures from utility can be difficult.

A. No. A completed utility service form is required for a proposal to be considered complete.

Eligible Costs

Q. Are permitting and sales tax eligible costs?

A. Permitting and sales tax are eligible costs.

Q. Are electricity costs (i.e. kWh and kW) considered eligible operations assistance costs? If so, are there any maximum funding amounts or performance thresholds associated with the operating expenses?

A. Electricity costs are NOT eligible operating costs. Per the [National Electric Vehicle Infrastructure \(NEVI\) Formula Program Q&A \(dot.gov\)](#), eligible operating costs include:

- a) Charging equipment lease fees, in the case that an EV charging station operator opts to lease rather than purchase charging equipment.
- b) Cellular network fees, internet service fees, or other similar fees necessary to provide communications between EV charging stations and charging network providers.
- c) Hardware and software maintenance and repair costs, including service agreements with third-party contractors and charging equipment manufacturers or warrantors.
- d) Other operating costs that are necessary and directly related to the charging of vehicles such as charging network access fees.

Application Procedures

Q. Can KDOT confirm which map applicants should use to identify tribal land or DACS?

A. Applicants should use the [EV Charging Justice40](#) map available from the Argonne National Laboratory site. The Electric Vehicle Charging Justice 40 Map was developed by USDOT and USDOE based on a joint interim definition of Disadvantaged Communities (DACs) for the National Electric Vehicle Infrastructure Formula Program. See <https://www.anl.gov/esia/electric-vehicle-charging-equity-considerations> for more information.

Q. Are there limits or requirements on the page count or size of supporting documents?

A. The size limit for attachments in the application software is 50MB. Please keep application documents under this limit to ensure that they are delivered properly. Proposers are responsible

for ensuring that the proposal is received and is not rejected due to file size; KDOT is not liable for any delays in receiving proposals due to technical difficulties.

Q. Is there a file naming convention for submitted documents?

A. The preferred naming convention is “Date of Upload_ Name of Proposer_ Document Name” in the form as follows:

[MMDDYYYY]_[NEVI Proposer]_[Document Name].

Q. Should the minimum scale requirement of 1”-20’ for site plans be interpreted as prohibiting zooming in any closer than 1”-20’, therefore allowing a 1”-50’ layout?

A. The requirement is 1”-20’. KDOT will consider changing the minimum scale in future rounds.

Q. Exhibit C of the RFP states in section 4 that KDOT will only accept proposals through the online submission yet section 8 states that documents are to be submitted via email. Please clarify.

A. All proposals and supporting documentation should be submitted through the online submission portal via the links that were sent in your organization’s email notifying you of eligibility to submit a proposal. Only Requests for Clarification of the RFP should be emailed to Charge Up Kansas utilizing the instructions in Form A.

Q. To whom should letters of support be addressed and how should they be submitted?

A. Letters of support can be addressed to Charge Up Kansas and should be sent to the proposer. Proposers should combine all letters of support into a single file and submit them through the appropriate section of the online submission portal.

Q. Can proposers submit more than one proposed charging station site within a given targeted location as listed in the RFP?

A. Yes, proposers can submit for multiple sites within a target location, however a complete proposal must be submitted for each proposed site.

Eligibility/Review Procedures/Contracting

Q. How does the “lowest bidder” process work when all projects are not created equal? Is the deciding factor just cheapest cost that meets criteria, regardless of other factors?

A. NEVI Formula Program funds are to be administered as if apportioned under [chapter 1 of Title 23, U.S.C.](#) The BIL also includes a new provision, [23 USC 109\(s\)\(2\)](#), which states that EV charging infrastructure projects using Title 23 funds “shall be treated as if the project is located on a Federal-aid highway”. To meet these requirements, KDOT will select the lowest responsive bidder in each location. A responsive bidder is defined as an eligible bidder submitting a bid proposal for a project meeting all requirements, including distance from the corridor, food/ restroom/shelter requirements, required forms, and all other requirements as listed in the RFP.

Q. Per the pricing costs, is KDOT evaluating on total eligible costs or total project costs?

A. KDOT will select the lowest responsive bid based on the total funding ask for eligible costs. Maximum federal funding is 80% of eligible costs or \$1,000,000, whichever is lower.

Q. Can you further define Conflict of Interest?

A. Please see 23 CFR Section 636 Subpart A, particularly [Section 636.103](#) and [Section 636.116](#) regarding organizational conflicts of interest. Section 636.103 defines “organizational conflict of interest” as follows:

“Organizational conflict of interest means that because of other activities or relationships with other Persons, a Person is unable or potentially unable to render impartial assistance or advice to the Owner, or the Person’s objectivity in performing the Contract Work is or might be otherwise impaired, or a Person has an unfair competitive advantage.”

Q. Is an Eligible Proposer, who submitted a Project Interest Form, allowed to apply for a location that wasn’t included on the Project Interest Form submission?

A. Yes.

Q. Will performance payments be allowed?

A. Once a project has been selected for conditional award, the awardee will have the opportunity to select the preferred schedule of reimbursement payments for up to 80% of eligible, approved project costs, but not to exceed the award maximum for the project. Reimbursement payments can be made either through:

- a) a one-time lump sum payment to the recipient as soon as reasonably possible upon completion of the following: i) receipt by the Secretary of proper billing and documentation (invoices and proof of payment); ii) monthly progress reports during construction; and iii) project completion and executed testing and/or commissioning plan.
- b) partial payments to the recipient, for amounts no less than \$1,000 and no more frequently than once monthly, upon receipt of proper billing, documentation, and monthly progress reports. The project must be completed prior to the recipient’s receipt of final payment.

Q. Can conditional awardees begin procuring reimbursable items at their own risk prior to an executed contract or NTP?

A. Conditional Awardees may procure reimbursable items at their own risk prior to a Notice to Proceed (NTP). Awardees should be aware that, if the NTP is not issued for any reason, KDOT is not liable for any expenses incurred.

Q. Do Buy America requirements apply to all charging station equipment including electrical equipment, battery storage, and/or distributed energy resources?

A. Yes. All equipment purchased with NEVI Formula Program funds must comply with [Buy America](#) requirements. FHWA has issued a [Waiver of Buy America Requirements for Electric Vehicle Chargers](#). Proposers are advised to review the waiver and corresponding [Build America, Buy America Q&A](#) for clarification.

Q. If an applicant would like to comment on contractual language, should comments be submitted with our proposal, or after awardees have been determined?

A. Please refrain from submitting comments on contractual language until conditional awardees are announced.

Technical Specifications and Requirements

Q. Can you confirm that NACS/CCS dual compatibility is required for all ports?

- A. The [National Electric Vehicle Infrastructure Standards and Requirements](#) state that each port must include a CCS connector. KDOT requires that NACS connectors also be provided on all ports. Please see the definitions for port and connector in Exhibit B of the RFP or the question below.

Q. Could you please provide the definitions for port and connector?

- A. KDOT uses the [Alternative Fuels Data Center definitions](#):

EVSE Port: An EVSE port provides power to charge only one vehicle at a time even though it may have multiple connectors. The unit that houses EVSE ports is sometimes called a charging post, which can have one or more EVSE ports.

Connector: A connector is what is plugged into a vehicle to charge it. Multiple connectors and connector types (such as CCS, CHAdeMO and NACS) can be available on one EVSE port, but only one vehicle will charge at a time. Connectors are sometimes called plugs.

Q. What are the minimum power requirements for any ports over and above the 4 required ports?

- A. All EV charging ports funded through the NEVI Program must meet the specifications in [Section 680.106](#) of the NEVI Standards and Requirements. For stations serving designated alternative fuel corridors, minimum power level must be 150 kW per port. Additional ports with lower power levels can be added but are not an eligible expense.