

Public Questions and Answers

The North Dakota Department of Transportation (NDDOT) has released a Notice of Funding Opportunity (NOFO) to participate in the deployment of NEVI-compliant charging infrastructure across the state.

Individuals may submit questions or requests for clarification about the NOFO through July 12, 2024 via the process outlined in the NOFO section 5.5, Application Questions.

Questions and answers are listed below. Answers will be posted to the North Dakota DOT's dedicated EV Plan website, dot.nd.gov/NEVI weekly. If no new questions or requests for clarification are received via the process outlined in the NOFO section 5.5, a new version of this document will not be posted.

Answers through 6-24-2024

Question 1: Are standalone M/D (medium duty) infrastructure projects are allowed?

Answer 1: Yes, as long as the project and infrastructure abide by the NOFO and all NEVI rules. This includes the ability to serve light-duty vehicles and the inclusion of both CCS1 and NACS connectors. Pull-through stations are desired by NDDOT.

Answers through 7-1-2024

Question 2: Are tribal entities eligible applicants?

Answer 2: Yes, tribal entities are eligible to be primary applicants or part of an application team.

Question 3: Does the [USDOT Waiver of Buy America Requirements for De Minimis Costs and Small Grants](#) apply to this NOFO?

Answer 3: It depends. If the total amount of Federal financial assistance applied to the project (Maximum Total Project Reimbursement in the Cost Proposal) is less than \$500,000 then the waiver applies.

Question 4: If the [USDOT Waiver of Buy America Requirements for De Minimis Costs and Small Grants](#) applies, what does it cover?

Answer 4: If the project falls under the waiver because the total amount of Federal financial assistance applied to the project is below \$500,000, then the waiver would only apply to transformers, iron, steel, manufactured products, and construction materials used in the project. EV chargers remain subject to the [EV Chargers waiver](#). Meaning, EV chargers still have to be Build America, Buy America (BABA) compliant, but other iron, steel, manufactured products and construction materials are not required to be BABA compliant.

Answers through 7-3-2024

Question 5: Can you please confirm that NDDOT will not accept applications from public sector entities, meaning the EV charging infrastructure cannot be developed on a public site?

Answer 5: Per the NOFO, government entities and political subdivisions cannot be primary applicants, but they can be part of a teaming partnership. A government entity or political subdivision could contribute a site to the project as long as the proposed site and project abides by all of the requirements outlined in the NOFO.

Answers through 7-15-2024

Question 6: In the NOFO released on June 11th, 2024, in Table 4-1 Priority Clusters, pages 4-5, exits 168, 172, 176, 180, 184, and 187 are listed under Cluster 29-E (Drayton), while exits 193, 196, 200, 203, 208, 212, and 215 are listed under Cluster 29-F (Pembina). We have located an interested landowner with land near exit 191 on I-29, and we are wondering if this exit is qualified for this funding opportunity and, if so, which cluster it should reside in. If this exit is not qualified for funding, we would be interested to know why it has been excluded from this opportunity.

Answer 6: The proposed site at exit 191 on I-29 does not qualify for this NOFO. The advertised NOFO is for Round 1. Round 1 sites have been identified by NDDOT after thorough analysis of where potential sites needed to be located to meet the NEVI requirements of having a compliant station located every 50-miles.

Answers through 7-24-2024

Question 7: Attachment 1 - Technical Requirements document speaks throughout to technical requirements awardees must comply with - are all of these requirements considered eligible capital or operation and maintenance costs (as defined in the NOFO in Sec 4.3, pages 5-6), specifically the construction of ADA-compliant restrooms (Sec 1.2, page 1), an ADA-compliant parking space (Sec 1.4, page 1), safety lighting (Sec 1.6, page 2), trash cans (Sec. 1.8, page 2), security cameras (Sec 1.10, page 2), and safety sidewalks (Sec 1.11, page 2), specifically in instances where the site is a 'virgin' and undeveloped site?

Answer 7: Please see Addendum 1 on NDDOT's NEVI website for clarifications.

Question 8: The technical scoring criteria, Section 6.1.2, pages 15-16 of the NOFO, speaks to the scoring criteria and lists access to amenities such as bathrooms, canopy above chargers, space for pull-through passenger trucks pulling trailers, playground areas, seating/benches, and additional parking spaces - are these amenities considered “construction costs related directly to EV charging station(s)” and thus considered eligible capital costs as referenced in Sec 4.3 on page 6 of the NOFO; or could they be considered “Costs to upgrade the project site to meet NOFO requirements” as also referenced in Sec 4.3 on page 6 of the NOFO?

Answer 8: Please see Addendum 1 on NDDOT’s NEVI website for clarifications.

Question 9: Are the construction costs of a parking lot, access road, and a sufficient cement/pavement area to facilitate ease of access to park and approach/depart the charge station pedestal area considered a “construction cost related directly to EV charging station(s)” or a “Cost to upgrade the project site to meet NOFO requirements” as referenced in Section 4.3 on page 6 of the NOFO?

Answer 9: Please see Addendum 1 on NDDOT’s NEVI website for clarifications.

Question 10: During the informational networking event on May 16, it was disclosed that capital costs for construction of onsite renewable energy resources (like solar) that are used to power a charge station are allowable costs provided that none of that electricity generated is exported or sold to the utility. Are there any other restrictions on NEVI-funded distributed energy resources or energy storage other than the prohibition of export to the grid or sale to a utility? For example, can NEVI-funded distributed energy resources or energy storage be used to power the security lights, security cameras, site signage, or restrooms or other on-premise consumption?

Answer 10: While there are no additional restrictions within the NEVI rule itself, applicants are required to perform their own due diligence with regards to applicable restrictions in other state and federal laws and regulations that apply to their proposals. Per [FHWA’s NEVI FAQ](#) (question 4.2) costs for on-site renewable energy generation and storage are eligible for reimbursement provided that the renewable energy generation or storage only transfers power to and from the EV charging station. Costs for planning, permitting, acquisition, and installation of on-site distributed energy resource (DER) equipment (e.g., solar arrays, stationary batteries) that are directly related to the charging of a vehicle are eligible for reimbursement. These costs should only be considered if they will lead to lower costs to consumers, greater EV charging station reliability, and if they do not substantially increase the timeline for completing an EV charging station project.

Question 11: According to page 8 of the NOFO, under section 5.2.3, a “Letter from the site Owner” is required. If the land upon which the proposed EV Charge station is sited is under a purchase agreement but the land transfer has not yet been finalized/closed at the time of submitting an application, would this letter be required from both the buyer and seller, or just the proposed buyer? Additionally, if the land is under an option to sell agreement dependent on the grant being awarded, would this letter be required from the buyer and seller, or just the proposed buyer? Additionally, on page 8 of the NOFO, under section 5.2.3., it states that applicant shall ensure public access 24/7 and this shall include any property required for ingress or egress; if the land between the public road and the site of the charge station is a right of way plat owned by the state does the applicant need a letter from the state attesting to all the same

things required of the site owner or is this requirement moot because state-owned land is assumed to be “publicly accessible”?

Answer 11: Per section 5.2.3 of the NOFO, Applicants must provide a letter from the site owner that includes all requirements outlined in section 5.2.3, including proof of ownership at the time of application submittal. If the property is under an option to sell, a copy of the option must be provided in addition to letters from the current and future site owners clearly stating the requirements outlined in section 5.2.3. The option letter must be an exclusive option to purchase, and the exclusive option letter must be valid for at least 6 months from the application submittal deadline. Applicants are reminded that per section 1.1 of the NOFO, state owned right of way will not be utilized in any way for project sites. Applicants are responsible for ensuring public access from the site to public roadways.

Question 12: Regarding the registration process for the Unique Entity ID, when asked "What is your goal?" should we choose the option "With a business or other organization which receives funds directly from the U.S. federal government" or "Apply as a grantee for federal funds distributed by a government entity other than the federal government.”?

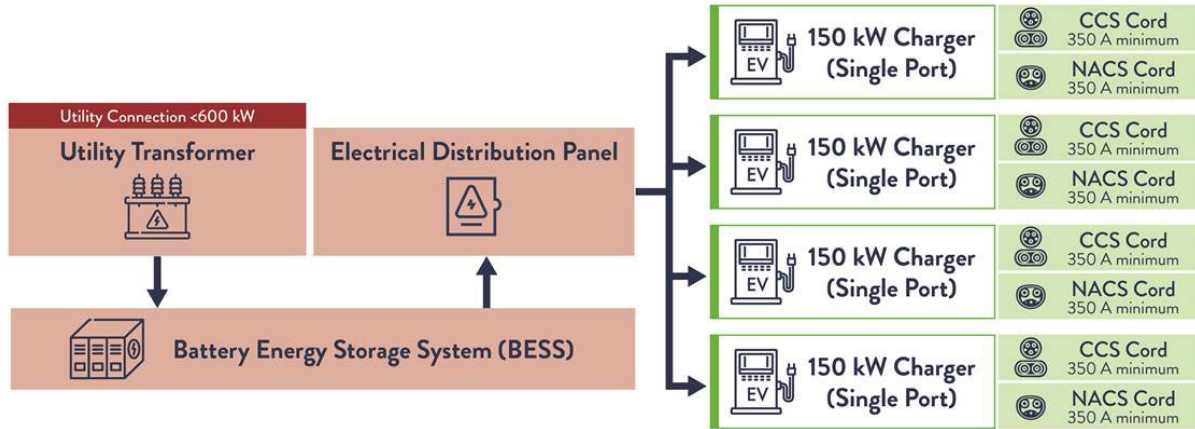
Answer 12: Applicants should reference the [Quick Start Guide for Getting Started with Entity Registration](#). Awardees will be contracting directly with NDDOT, not the federal government.

Question 13: Could NDDOT clarify if the organizational chart, EV charging equipment connection diagram, and certification on the technical package, are included in the 30-page limit?

Answer 13: The organizational chart, EV charging equipment connection diagram, and EVSE cut sheets do not count towards the 30-page limit.

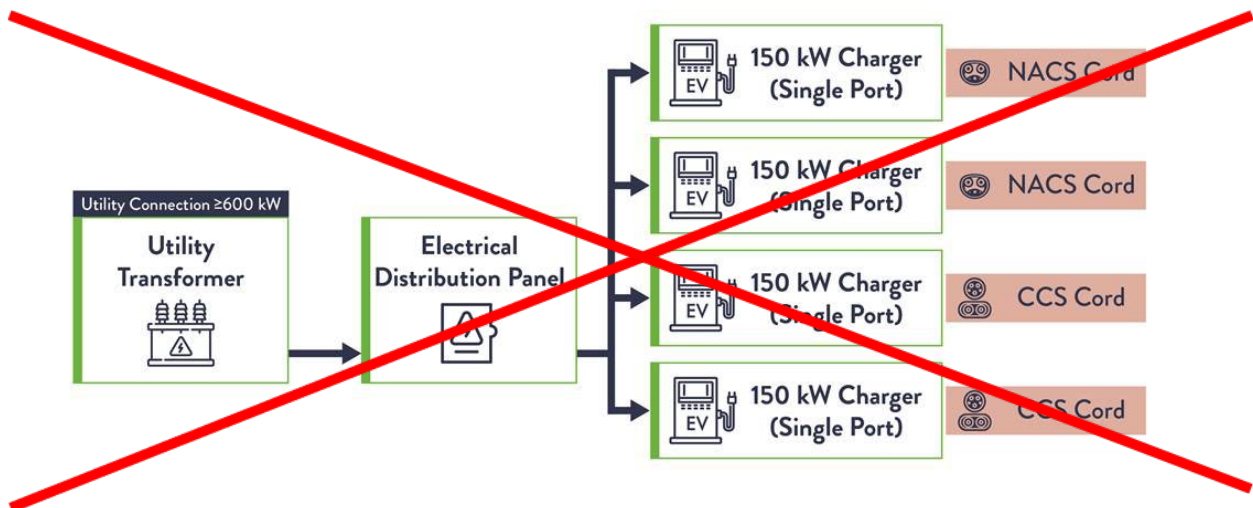
Question 14: Can I use a battery energy storage system (BESS) to provide the required power instead of obtaining 600 kW from the grid?

Answer 14: This is only allowed in some cases. There are requirements on the battery size and utility feed provided in table 4-3 in Attachment 1 of the RFP. Battery systems must comply with the requirements based on the location of the proposed site. There are 3 clusters where the full 600 kW must be provided by the grid, but the minimum grid connection can be as low as 60 kW in some clusters. Applicants should provide a connection diagram that clearly shows how the BESS is attached to the rest of the equipment and include the BESS ratings for energy storage, input power, and output power.



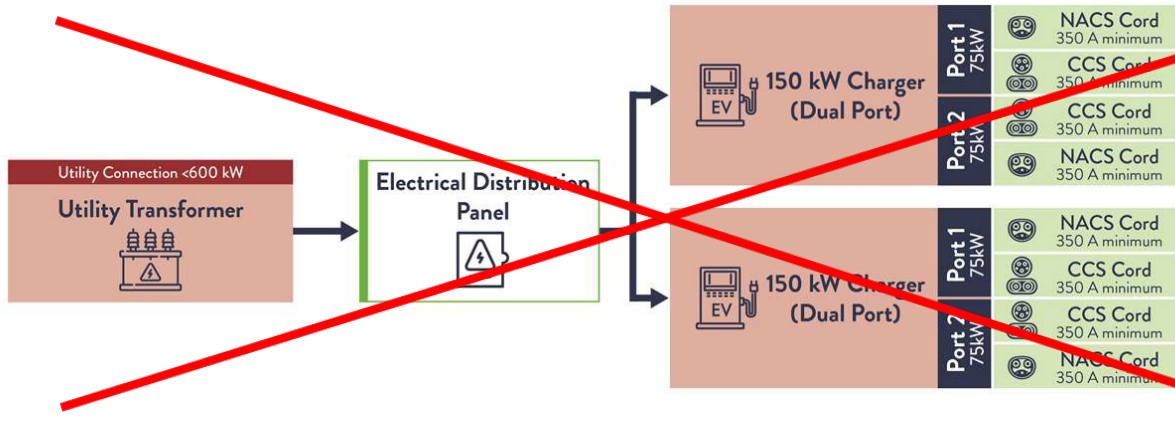
Question 15: Can I use CCS connectors on half of the ports and NACS connectors on the other half of the ports to meet the requirements for both connector types?

Answer 15: No, all ports must have both connector types. The connectors can be provided either through dedicated cables or through permanently attached adapters. Each site must have a minimum of at least 8 connectors (4 CCS1 and 4 NACS), configured as 4 ports (where use of one of each pair of CCS1/NACS connectors is mutually exclusive).



Question 16: I am planning to use a 150 kW dual port charger that supports power sharing. Since each port has a maximum rating of 150 kW, does this meet the requirements for NEVI?

Answer 16: No, this does not meet the requirements. The chargers must be able to simultaneously provide 150 kW, and this is not possible with the described equipment. Power sharing is allowed, but the minimum power available to each port must be at least 150 kW. For example, a 300 kW dual port charger with power sharing would meet the NEVI requirements, but anything below 300 kW would not.



Question 17: If the EVSE supports 150 kW does this guarantee it is compliant with the requirements?

Answer 17: No, supporting the minimum power level does not guarantee compliance with all requirements. There are requirements on output voltage, output current, temperature range, and environmental ratings that all must be met. For example, it is common for 150 kW EVSE to only support 200 A or 300 A output, but this would not meet the requirement for at least 350 A output in Attachment 1 of the RFP. Applicants should verify each requirement individually to ensure that the proposed equipment is compliant.