



REQUEST FOR PROPOSALS

United States Department of Transportation
Federal Highway Administration
CHARGING AND FUELING INFRASTRUCTURE PROGRAM
ROUND 2

APPLICATION DUE DATE:

July 20, 2024, at 11:59 p.m. Mountain Daylight Time (MDT)

Note to Applicants: This Request for Proposal (RFP) and amendment will be available on the New Mexico Department of Transportation (NMDOT) website <https://www.dot.nm.gov/electrifying-new-mexico/?ev=cfi>. All RFP amendments, Applicant questions and NMDOT's answers will be posted on the NMDOT website <https://www.dot.nm.gov/electrifying-new-mexico/?ev=cfi>.

Overview

The New Mexico Department of Transportation (NMDOT) is soliciting proposals for entities interested in partnering in Round 2 of the Charging and Fueling Infrastructure Discretionary Grant (CFI Program) application process as applicable under federal regulations. This Request for Proposals (RFP) will be used to select entities that will be considered to partner with NMDOT on the CFI application as per all requirements under 23 CFR Part 680. Accepted proposals will be submitted jointly, in partnership with NMDOT's CFI application.

The CFI Program is a competitive grant program created by President Biden's Bipartisan Infrastructure Law to strategically deploy publicly accessible electric vehicle charging and alternative fueling infrastructure in the places people live and work – urban and rural areas alike – in addition to along designated Alternative Fuel Corridors (AFCs). CFI Program investments will make modern and sustainable infrastructure accessible to all drivers of electric, hydrogen, propane, and natural gas vehicles. The Bipartisan Infrastructure Law provided \$2.5 billion over five (5) years for the CFI program to strategically deploy electric vehicle (EV) charging infrastructure and other alternative fueling infrastructure projects in urban and rural communities in publicly accessible locations, including downtown areas and local neighborhoods, particularly in underserved and disadvantaged communities.

The CFI Program provides two (2) funding categories of grants: (1) Community Charging and Fueling Grants (Community Program); and (2) Alternative Fuel Corridor Grants (Corridor Program). CFI Round 2 Notice of Funding Opportunity (NOFO) offers up to \$800 million to strategically deploy electric vehicle (EV) charging infrastructure and other alternative fueling infrastructure projects in urban and rural communities in publicly accessible locations, including downtown areas and local neighborhoods, particularly in underserved and disadvantaged communities. Please go to www.fhwa.dot.gov/environment/cfi/ for more information.

Community Program eligible infrastructure is publicly accessible electric vehicle (EV) charging infrastructure, hydrogen/propane/natural gas fueling infrastructure. Projects may be located on a public road or in other publicly accessible locations, such as parking facilities at public buildings, public schools/parks, or in publicly accessible parking facilities owned or managed by a private entity. Both Direct Current Fast Charging (DCFC) and Alternative Current Level 2 chargers are eligible. Per 23 U.S.C. § 151(f)(8)(H), Community grant recipients may, but are not required to, contract with a private entity(ies) for the acquisition, construction, installation, maintenance and/or operation.

- Minimum anticipated award of \$500,000; maximum award of \$15M

Corridor Program grants are expected to support the buildout of charging or other alternative fueling infrastructure along designated Alternative Fuel Corridors (AFCs). Potential partners include private companies such as medium and heavy-duty fleet operators and providers of medium and heavy-duty vehicle charging and fueling infrastructure as well as non-profit organizations, municipalities, and others interested in the Corridor Program. As per 23 U.S.C § 151(f)(6)(A), CFI grant recipients are required to contract with a private entity for acquisition and installation of publicly accessible EV charging infrastructure, or hydrogen, propane, or natural gas fueling infrastructure that is directly related to the charging or fueling of a vehicle along designated Alternative Fuel Corridors (AFC) and should be conveniently located as close to the AFC as possible, no greater than five (5) miles from interstate exits or highway intersections along designated corridors. Corridor grant recipients may, but are not required to, contract with a private entity for operations and maintenance as per 23 U.S.C. § 151(f)(6)(C).

- Minimum anticipated award of \$1M; no maximum award size

Partner Eligibility

Applicants that are **eligible** to partner with NMDOT in the CFI application process include:

Community applicants:

- Incorporated nonprofit organizations, as described in Section 501(c)(3) of the Federal Internal Revenue Code of 1954, as amended. These organizations must be incorporated under NM law or registered with the NM Secretary of State;
- Public school districts;
- County and municipal governments and authorities;
- NM State government agencies;
- Tribal government;

- NM metropolitan or rural planning organizations, as defined by 49 U.S.C. § 5303(b);
- Special purpose district or public authority with a transportation function, including a port authority;
- Territory of the United States;
- Authority, agency, or instrumentality of, or an entity owned by, 1 or more entities described above;
- Group of entities described above;
- State or local authority with ownership of publicly accessible transportation facilities; and
- Private Entities, including corporations, partnerships, companies, or nonprofit organizations as per 23 U.S.C. § 151(f)(1). Contracting with a private entity is optional for the Community Program.
 - All contracts under this program with private entities for the acquisition, construction, installation, maintenance, and operation of publicly accessible charging or fueling infrastructure must be conducted in a manner providing full and open competition consistent with the standards of 2 CFR 200.319 and 200.320, and 23 CFR 635 and 23 CFR 636.

Corridor applicants:

- Incorporated nonprofit organizations, as described in Section 501(c)(3) of the Federal Internal Revenue Code of 1954, as amended. These organizations must be incorporated under NM law or registered with the NM Secretary of State;
- Public school districts;
- County and municipal governments and authorities;
- NM State government agencies;
- Tribal government;
- NM metropolitan or rural planning organizations, as defined by 49 U.S.C. § 5303(b);
- Special purpose district or public authority with a transportation function, including a port authority;
- Territory of the United States;
- Authority, agency, or instrumentality of, or an entity owned by, 1 or more entities described above;
- Group of entities described above; and
- Private Entities, including corporations, partnerships, companies, or nonprofit organizations as per 23 U.S.C. § 151(f)(1). The Corridor program must be contracted with a private entity.
 - All contracts under this program with private entities for the acquisition, construction, installation, maintenance, and operation of publicly accessible charging or fueling infrastructure must be conducted in a manner providing full and open competition consistent with the standards of 2 CFR 200.319 and 200.320, and 23 CFR 635 and 23 CFR 636.

Organizations that are **ineligible** for partnering with NMDOT in applying for the CFI program include the following:

- Applicants that are currently debarred by the State of New Mexico or federal government;
- Businesses not incorporated in or registered with the NM Secretary of State to do business in NM;
- Individuals applying as individuals, not on behalf of an eligible applicant; and
- NMDOT may also deem an applicant ineligible because of, but not limited to, environmental compliance issues, labor standards issues, tax status or other such issues.

NMDOT reserves the right to select only a portion of a proposed project. Accepted applicants will be notified of project proposals to be added to the NMDOT CFI application. Partners identified through this RFP may be asked for additional information during the CFI application development. This solicitation does not require NMDOT to select any Partner(s) solicited through this process. NMDOT may pursue any projects solicited through this RFP, or any other projects, or none at all.

Eligible Projects

Community Program Eligible Projects

- A project expected to reduce greenhouse gas emission and to expand or fill gaps in access to infrastructure.
- Eligible infrastructure is publicly accessible charging and fueling infrastructure.
- A project located on any public road or in other publicly accessible locations.
 - Examples include: Parking facilities at public buildings, public schools, and public parks; and publicly accessible parking facilities owned or managed by a private entity. Fueling infrastructure may be placed in parking garages, on-street parking locations, and other parking facilities that charge a

parking fee, so long as the parking fee is included in the price structure and complies with federal regulations.

- Both Direct Current Fast Charging and Alternative Current Level 2 chargers are eligible.
- Educational and community engagement activities to develop and implement education programs.

Corridor Program Eligible Projects

- A project expected to support charging or alternative fueling infrastructure along designated alternative fuel corridors (AFCs).
- Eligible infrastructure is publicly accessible charging and fueling infrastructure.
- A project that shall contract with a private entity for acquisition and installation, or operation, of eligible infrastructure.
- Projects must be located no greater than five (5) miles from a designated AFC.

Eligible Project Types

- Electric Vehicle (EV) Charging
- Hydrogen Fueling
- Natural Gas Fueling
- Compressed Natural Gas
- Liquefied Natural Gas
- Propane Fueling

Eligible Project Costs

Community Program Eligible Project Costs:

- The acquisition and installation of EV charging or alternative fueling infrastructure.
- Costs associated with any related construction or reconstruction and the acquisition of real property that directly relate to a project.
- Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities.
- Contracting with a private entity for the acquisition, construction, installation, maintenance, or operation of eligible infrastructure.

Corridor Program Eligible Project Costs:

- **Must** contract with a private entity for acquisition and installation of eligible infrastructure.
- Providing a private entity with operating assistance for the first 5 years of operations after the installation of eligible infrastructure.
- Acquisition and installation of traffic control devices located in the right-of-way to provide directional information to eligible infrastructure.
- Preliminary engineering, engineering, and design-related services directly relating to the construction of a highway project, including engineering, design, project development and management, construction project management and inspection.

Cost Share

The CFI Program is a reimbursement program and project partners must provide their own funding to cover expenses as they are incurred. Grant applicants must demonstrate they can cover the full cost of the project. The maximum Federal Share shall not exceed 80 percent of the total project cost. CFI program recipients must provide at least 20 percent of the total project cost as a matching non-federal share. When a private entity is contracted with, the private entity must agree to pay the non-federal share of the project cost. Additional information on cost share can be found at 2 CFR 200.306, Cost Sharing or matching and FHWA's guidance in Non-Federal Matching Requirements.

Incurring Costs

The NMDOT is not liable for any cost incurred by the Applicant prior to issuance of a legally executed contract, purchase order or other authorized acquisition document. No property interest, of any nature, shall occur until a contract is finalized and signed by all concerned parties.

Administrative and National Policy Requirements

Applicable Federal laws, rules, and regulations set forth in title 23, U.S.C., and title 23 of the CFR, shall apply to awards provided under this program, including:

- Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (2 CFR Part 200)
- National Environmental Policy Act (NEPA) (23 CFR part 771)
- Build America, Buy America Act (Pub. L. No. 117-58, div. G §§ 70901–70927)
- Title VI of the Civil Rights Act of 1964 and implementing regulations (49 CFR part 21)
- Federal Contract Compliance
- Davis-Bacon Act (40 U.S.C. §§ 3141-3148; 23 U.S.C. § 109(s)(2); 23 U.S.C. § 113(a))
- Disadvantaged Business Enterprise (DBE) Program
- CFI Minimum Standards and Requirements (23 CFR Part 680)
- Plus, others as listed in section F.2 of the NOFO

CFI Standards and Requirements (23 CFR Part 680)

CFI Standards and Requirements (23 CFR Part 680) specify technical aspects of chargers including:

- Connector types
- Power levels
- Minimum number of charging ports per station
- Minimum uptime (reliability standards)
- Payment methods
- Data submittal requirements
- Workforce requirements for installation, operation, or maintenance by qualified technicians
- Interoperability of EV charging infrastructure; traffic control devices and signage
- Network connectivity
- Publicly available information

EV Charging Minimum Standards Final Rule is available in the [Federal Register](#)

Proposal Application Review Process

A combination of evaluation factors will be considered during the proposal review process, NMDOT will consider the overall cost effectiveness and the potential for early implementation and completion of each application. Proposal applications will be selected for funding based on a set of criteria reflecting funding priorities for the program. These factors will guide NMDOT in giving priority to projects that perform the highest overall. The evaluation shall be based on the evaluation factors and the relative weights set forth in this RFP.

Project Scoring Criteria

A scale will be used to evaluate eligible proposal applications. Projects may receive an additional 25 bonus points for using renewable energy. Scores will be used to develop final recommendations. Bonus points may be used in consideration of final rankings. Proposal applications will be evaluated and ranked according to the following criteria:

Applicant's score will be calculated as follows:

- Total Application Score = Cost Effectiveness + Distance + Environmental Justice + Accessibility + Bonus Points, if qualified

Total Available Points

Scoring Category	Available Points
<p>Cost Effectiveness: Based on applicant provided information and if applicable, matching funds. Under this criterion, projects are ranked, and points are calculated and assigned incrementally based on rank from a maximum of 50 for the most cost effective to least cost effective (i.e. \$/kW charging rate * number of charging ports).</p>	Up to 50
<p>Distance to other charging sites:</p> <ul style="list-style-type: none"> • Over 100 miles: 5 points • 99 to 51 miles: 10 points • 50 to 26 miles: 25 points • Less than 25 miles: 50 points 	Up to 50
<p>Environmental Justice (Based on overall impact of Justice 40 related criteria) For Community Program Selection Priorities:</p> <ul style="list-style-type: none"> • Rural Area • Low and moderate income neighborhoods • Communities with a low ratio of private parking spaces to households or a high ratio of multi-dwellings to single family homes. 	Up to 50 (Not applicable for Corridor Applicants)
<p>Accessibility and proximity to amenities: Distance to amenities such as restrooms, food, local restaurants, and retail shopping</p> <ul style="list-style-type: none"> • Onsite: 50 points • Less than ¼ mile from amenities: 25 points • ¼ mile from amenities: 10 points 	Up to 50
<p>TOTAL POINTS POSSIBLE</p>	200 (Community) 150 (Corridor)
<p>Bonus Points: Renewable energy</p>	Up to 25
<p>Community Program Additional Considerations:</p> <ul style="list-style-type: none"> • Complements and does not duplicate existing Federal investments, • Contributes to geographic diversity among eligible entities, including achieving a balance between urban and rural communities, • Meets current or anticipated market demands for charging or fueling infrastructure, including faster charging speeds with high-powered capabilities necessary to minimize the time to charge or refuel current and anticipated vehicles, and; • Plans for infrastructure to be completed in a timely manner and made available for use by the traveling public. 	
<p>Corridor Program Additional Considerations:</p> <ul style="list-style-type: none"> • Complement and not duplicate existing Federal investments; • Improve designated alternative fueling corridor networks; • Meet excess demand or reduce congestion at existing charging or fueling infrastructure in high-traffic locations; • Meet current or anticipated market demands for corridor charging or alternative fueling infrastructure, supports a long-term competitive market, and does not significantly impair existing charging and infrastructure providers; • Enable or accelerate the construction of charging or fueling infrastructure that would be unlikely to be completed without Federal assistance, as a result of meaningful public engagement with communities that have lacked private infrastructure investment; • Deploy charging and fueling infrastructure for medium- and heavy-duty vehicles, including along the National Highway Freight Network; • Ensure, to the maximum extent practicable, geographic diversity among grant recipients to ensure that charging and fueling infrastructure is available throughout the U.S. • The private entity that the eligible entity contracts for an eligible project <ul style="list-style-type: none"> i. submits to the Secretary the most recent year of audited financial statements, and ii. has experience in installing and operating charging and fueling infrastructure; • The eligible entity and the private entity that the eligible entity contracts for an eligible project enter into an agreement i. to operate and maintain publicly available charging and fueling infrastructure, and • Plans for the infrastructure to be completed in a timely manner and made available for use by the traveling public. 	

Application

The purpose of this RFP is to; (1) allow Applicants to begin the process of coordinating with relevant stakeholders such as utility companies, location hosts, suppliers, local contractors, etc. and (2) solicit applications per the specifications of this RFP, in accordance with the selection method and process of this RFP.

If an eligible applicant is interested in applying for both the Community and Corridor funding categories in a single application, they must clearly separate the proposed work, selection criteria, and budget requested for each category. Separate applications are also welcome.

Applicants who wish to submit applications should provide only one (1) complete response per entity. Applicants should not provide marketing materials as part of their responses. Applicants should focus on a thorough review of the RFP, to comprehensively understand this RFP and provide detailed responses to specific sections. The RFP process will be open for fifteen (15) days beginning July 5, 2024, through July 20, 2024.

How to Apply

Proposals must be submitted in PDF format **no later than 11:59 P.M. (Mountain Daylight Time) on Saturday, July 20, 2024, and shall be submitted to NMDOT electronically to Special.Projects@dot.nm.gov**. Please state CFI Proposal in the subject field of the email. **RFPs submitted by hard copy or facsimile will not be accepted.** NMDOT reserves the right to reject any or all RFPs in part or in whole. This is a competitive application process. To be considered for funding completed proposal applications must be submitted.

Digital attachments to the application shall be in Microsoft Word format or PDF. Zipped files cannot be received by the Special Projects Division and cannot be used for submission of application(s). Please review the criteria below when submitting Application(s).

- Each Applicant shall submit one electronic application packet in PDF format.
- The responsibility for submitting or delivering this application on or before the stated due date and time is solely and strictly the responsibility of the Applicant. NMDOT shall not be responsible for delays caused by any delivery system. In terms of electronic submission, the entire required information and accompanying documents for the RFP must be submitted via the electronic system being used by the NMDOT and by the deadline specified in this RFP. Application(s) received after the date and cutoff time stipulated above shall be considered "non-responsive".
- Late application(s) will not be accepted and will be automatically disqualified from further consideration. All application(s) and any accompanying documentation become the property of the NMDOT and will not be returned.

Application Content

Applicants will be required to submit, at a minimum, the following documents:

- Application Submittal Form (Attachment 1)
- Number of ports and spaces
- Itemized project quotes or budgetary information for each location
- Aerial photos of each location(s) to include GPS coordinates (decimal format)
- Documented proof of access to property
- Project approach to include sustainability, equity, safety, traffic control, resilience, community engagement, and Justice 40
- A labeled Site plan that identifies the location of fueling infrastructure, dedicated parking spaces, required accessible design features, Site lighting, nearby amenities, and areas for future expansion (Attachment 2)
- Warranty specifications including what is covered and what is not covered and the term of each
- Specification sheets for related equipment considered for each location to include:
 - a. Manufacturer
 - b. Model
 - c. Charging capacity in kW
 - d. Warranty period

- Utility Company confirmation indicating adequate power supply may be obtained for each location. If the project Application includes a technology that is not grid-ties, demonstration of the technology's ability to meet the requirements of the program

Other Information to include in application

Interested applicants should submit information on specific project(s), including **but not necessarily limited to:**

- Information and recommendations related to existing and future demand for medium and heavy duty charging and fueling along designated Alternative Fuel Corridors, as well as existing infrastructure gaps and infrastructure that would support greater adoption of medium and heavy-duty alternative fuel vehicles.
- Suggested potential project locations, including discussion of why this location would be strategic for medium and heavy duty charging and fueling infrastructure.
- Existing plans, planning efforts or public/stakeholder engagement related to potential CFI-Corridor eligible projects
- Information about potential safety risks associated with medium and heavy-duty charging/fueling infrastructure, and strategies for mitigating these risks
- Recommendations related to Environmental Justice, air quality, resilience and workforce development components of potential CFI-Corridor eligible projects
- Recommendations related to cybersecurity and technology advancement considerations, such as accommodating automated vehicles, vehicle to grid technology, and future charging methods
- Information and recommendations related to strategies for long-term operation and maintenance of the charging/fueling infrastructure
- Future-proofing Design Information

Provide details on any elements included in the Project design specifically to “future-proof” the location(s) across the fueling infrastructure for expansion or increased charging rates to accommodate demand growth and/or future technology developments. Note that such elements are considered optional and not required. If provided, such elements must be cost separately, as discussed in this Section. Example:

- Describe how the Site might allow for additional charging ports, stalls, and/or power to be provided in the future.
- Describe how the Site might allow for parking and charging of medium- and/or heavy-duty vehicles now and in the future, if expected.

Financial Portion of Application

The Applicant shall create their own Financial Application Form, in accordance with this section, for each location within fueling infrastructure. The Applicant shall use a separate form for each location and provide the information designated to each particular location. Applicant shall submit pricing for each location, as well as all related components relating to that location. All costs must be the actual price the NMDOT will pay for the specific item or service identified in this RFP and may not be contingent on any other factor or condition in any manner. All financial application costs entered are to be fully loaded costs that include all costs/expenses associated with the provision of services and the build out, to include operations and maintenance as required by this RFP. The financial application costs shall include, but is not limited to, all labor, overhead, general contractor and subcontractor's markups, general operating and administrative expenses and other costs/expenses necessary to perform the work set forth in this RFP. No other amounts will be paid to the Applicant.

Public Data

All proposals (applications) shall remain confidential until NMDOT announces the selected partners, at which time the proposals (applications) shall be deemed public records pursuant to the Public Records Act, NMSA 1978, Sections 14-3-1 to 14-3-24, and subject to the Inspection of Public Records Act, NMSA 1978, Section 14-2-1. NMDOT requests that no confidential information be included with a proposal (application) and reserves the right to return proposals (applications) that have included such information.

Tools for Applicants

Corridor Program Tool:

Alternative Fuel Life-Cycle Environmental and Economic Transportation (AFLEET) CFI Emissions Tool (Argonne National Lab) <https://afleet.es.anl.gov/infrastructure-emissions/>

Equity Tools for Both Programs:

Climate and Economic Justice Screening Tool (CEJST) <https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5>

Urban/Rural Classification:

List of Urbanized Areas (UZA) http://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/

Program Contact Information

Additional information can be obtained from the USDOT-FHWA CFI NOFO <https://www.fhwa.dot.gov/environment/cfi/>. Other inquiries related to the project requirements, application, application requirements, and other aspects of this Grant Program should be sent to NMDOT special.projects@dot.nm.gov. Please state "CFI Round 2 Question" in the subject field of the email.

Questions and Answers / Comments

Applicants will be offered the opportunity to formally submit questions and/or comments before July 19, 2024. Please submit questions to NMDOT at Special.Projects@dot.nm.gov. Please state CFI Question in the subject field of the email. Early submission of questions is encouraged. Questions and answers will be posted on <https://www.dot.nm.gov/electrifying-new-mexico/?ev=cfi>. Applicants may only rely on written statements. Any oral communications are unofficial and are not binding on the Special Projects Division.

Attachment 1. Application Submittal Form

Must be on Official Business Letterhead

Applicant/Entity Name/Joint Venture/Partnership Name

Unique Entity Identifier (UEI) #

Address

Principal Place of Business

Telephone

Email address of legal entity with individual whom contract would be written

Contact Person for the RFP

Title for Contact Person

Attachment 2. Application Form – Site and Project Information

Applicant to confirm the Site and Project information as follows:

Site Information	
Site Name:	
Corridor-Group: Reference RFP, Table 1	
Exit No.:	
Physical Address:	
City:	
County:	
Zip:	
Charger Coordinates (approximate):	
Site Host Information	
Site Host Name:	
Site Ownership Status (check one):	<ul style="list-style-type: none"> <input type="radio"/> Owner <input type="radio"/> Lessee
If Lessee, please provide details of lease terms, expirations, and renewal or attach a copy to this Form.	
Contact Name:	
Contact Telephone Number:	
Contact Email Address:	
Site Commercial Structure	
Describe the commercial structure for the site. Include a general description of Project ownership, financial flows between main stakeholders, and relevant funding/financing structure.	

--

Utility Upgrade Information

Describe what utility upgrades are required for the site, including cost estimates, interconnection requirements, and service requirements.

--

Site Amenities

Describe all amenities at the site, such as restroom access, grocery store, dine-in restaurant, WiFi accessibility, trailer parking area, etc.:

--

Site Access

Describe the site access features (e.g., easement, lease, permit, license, etc.) for the construction and operation of EVSE.
--

--

Site Details

Describe major characteristics of the site (e.g., specific street, building, or parking lot); explain why the site is applicable for the Project; describe significant details of the site, including vehicular access, surrounding roads and traffic patterns; and confirm the site is compliant with all applicable requirements of the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. 12101 et seq. and 49 U.S.C. 322 or describe modifications contemplated to make it compliant.

Site Schematic

Provide a site schematic for the site using a diagram or schematic showing the parking space(s) (final engineering plans are not required). Show locations of existing and considered designated EV charging parking space(s), EVSE, point of sale equipment, and electric service to the site. Also indicate any space available for future proofing design layout, if available.

Signature of Site Host Representative (indicating a willingness to work with Applicant on the Project):

Company Name

Contact Name

Title

Name (printed or typed)

Phone Number

Email