



## **NOTICE OF FUNDING OPPORTUNITY (NOFO)**

# **Illinois National Electrical Vehicle Infrastructure (NEVI) Program**



**March 2024**

## Summary Information

Data Field	
Awarding Agency Name	Illinois Department of Transportation
Agency Contact	DOT.DriveElectric@illinois.gov
Announcement Type	Initial
Type of Assistance Instrument	Grant
Funding Opportunity Number	24-3374-NEVI-01
Funding Opportunity Title	Illinois National Electric Vehicle Infrastructure (NEVI) Program
CSFA Number	494-00-3374
CSFA Popular Name	NEVI
Anticipated Number of Awards	Will vary because there will be no set minimum or maximum award; up to 46
Estimated Total Program Funding	Approximately \$50M
Award Range	No set minimum or maximum
Source of Funding	Federal
Cost Sharing or Matching Requirement	Yes
Indirect Costs Allowed	No
Restrictions on Indirect Costs	N/A
Posted Date	March 8 <sup>th</sup> , 2024
Application Range	60 days
Technical Assistance Session	March 11 <sup>th</sup> , 2024

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# 1. Program Description

## 1.1 Background

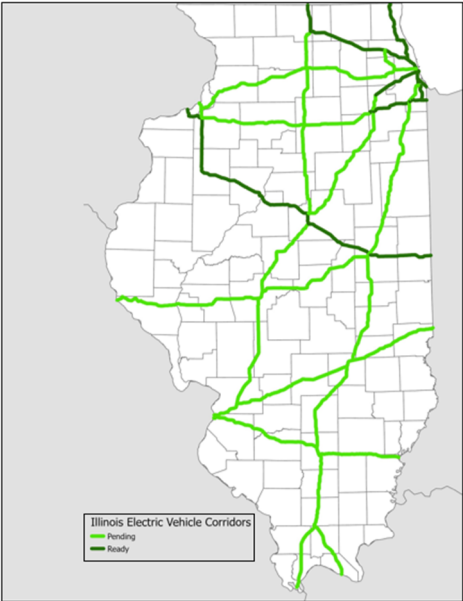
The Bipartisan Infrastructure Law (BIL), also known as the Infrastructure Investment and Jobs Act (IIJA), allocates \$7.5 billion for programs that will advance electric vehicle (EV) adoption nationwide. Among these investments is the \$5 billion National Electric Vehicle Infrastructure (NEVI) Formula Program that provides dedicated funding to states to strategically deploy EV charging infrastructure and establish an interconnected network that facilitates data collection, access, and reliability. The NEVI Formula Program is the first major federal investment in EV charging infrastructure and places the United States on a path to a nationwide network of 500,000 EV chargers that ensures a convenient, affordable, reliable, and equitable charging experience for all users by 2030. Through the rapid deployment of an interconnected network of EV charging stations, the NEVI Formula Program will advance Illinois' goal of 1 million EVs on the road by 2030 and will provide the necessary infrastructure to support rising EV sales.

The IIJA directs the Federal Highway Administration (FHWA) to appropriate funding to all states (including the District of Columbia and Puerto Rico) on a formula basis. Illinois is expected to receive approximately \$148 million in NEVI Formula Program funds over a period of 5 years, starting from FY2022. To implement the Illinois NEVI Program, the Illinois Department of Transportation (IDOT) will conduct a competitive grant process that will award grants to eligible entities that install, operate, and maintain EV charging sites across Illinois.

## 1.2 Introduction

Through this Notice of Funding Opportunity (NOFO), IDOT is seeking applicants to apply for grant funding available through the Illinois NEVI Program. IDOT will fund up to 80% of the defined eligible costs associated with upgrading existing EV charging sites or establishing new sites situated along Alternative Fuel Corridors (AFCs), provided that the sites meet the requirements of the NEVI Formula Program Guidance and the NEVI Final Rule ([23 CFR 680](#)).

IDOT intends to implement the Illinois NEVI Program through multiple rounds. Round 1 will focus on expanding EV charging infrastructure along Illinois' AFCs depicted in **Figure 1**, with the goal of achieving a full build-out of the state's AFCs. To be considered fully built-out by the FHWA, AFCs must be equipped with publicly accessible EV charging stations that are located at maximum 50 miles apart, are within one driving mile of the designated roadway, and meet all other requirements of the NEVI Formula Program.



**Figure 1** – Map of Illinois' Alternative Fuel Corridors (AFCs)

As part of Round 1, IDOT has released this NOFO to award up to \$50M in grants for the design, construction/upgrade, operation, and maintenance of EV charging stations located within a one-mile driving distance of the eligible locations identified in **Section 4.3**. IDOT anticipates releasing additional grant opportunities through subsequent rounds of the Illinois NEVI Program.

On September 29, 2023, the FHWA approved the Illinois Electric Vehicle Infrastructure Deployment Plan, which provides an update on steps the state has taken over the past year to begin implementing the Illinois NEVI Program. To ensure that the Illinois NEVI Program serves the needs of all Illinoisians, the plan includes ongoing and intensive stakeholder and public engagement efforts that will continue to shape the development and refinement of program elements. Relevant information regarding the Illinois Electric Vehicle Infrastructure Deployment Plan and the Illinois NEVI Program can be accessed online at:

<https://idot.illinois.gov/transportation-system/environment/drive-electric.html>

### 1.3 Equity and the Environment

The Justice40 initiative, established by the Biden-Harris Administration, aims to tackle underinvestment in marginalized communities. This initiative is designed to allocate resources to communities that are facing the brunt of climate change, pollution, and environmental risks.

Within the U.S. Department of Transportation (USDOT), Justice40 presents an opportunity to address deficiencies in transportation infrastructure and public services. The objective is to ensure that a minimum of 40 percent of the benefits from various grants, programs, and initiatives directly reach disadvantaged communities (DACs).

The Illinois NEVI Program is committed to achieving equitable outcomes and working towards the goal of at least 40 percent of the benefits from the program flowing to DACs. As such, during the evaluation process, preference will be given to projects that incorporate equity principles and/or are located within or near DACs.

An interactive map of the federally defined DACs can be accessed online at:

<https://screeningtool.geoplatform.gov/en/#3/33.471-97.5>

### 1.4 Key NOFO Milestones and Dates

The dates and milestones associated with Round 1 of the Illinois NEVI Program appear in **Table 1**.

**Table 1 – Key NOFO Milestones and Dates**

Milestones	Date
Application period opens	March 8 <sup>th</sup> , 2024
Informational webinar for interested applicants	March 11 <sup>th</sup> , 2024
<b>Application submission deadline</b>	<b>5:00 PM CT May 7<sup>th</sup>, 2024</b>
Notice of State Award	July 2024

### 1.5 Informational Webinar

There will be one informational webinar for interested applicants ahead of the application submission deadline; participation in this meeting is optional but encouraged. The informational webinar will be held remotely through Webex on March 11<sup>th</sup> at 10:00 am CT. Interested applicants should register for the webinar using the following link:

<https://illinois.webex.com/webappng/sites/illinois/meeting/register/e1a488b35dab454697ee33eec233f3df?ticket=4832534b000000075aaf2dc022be76bbb853826d200cb6ffded73d677877740a4d98dde114a7c00e&timestamp=1709854559805&RGID=re889c9fd3de06328aabe21134fd836d1>

The webinar recording will be made available at <https://idot.illinois.gov/transportation-system/environment/drive-electric.html>.

## 1.6 Questions

During the application period, interested applicants may submit written questions related to the NOFO by emailing [DOT.DriveElectric@Illinois.gov](mailto:DOT.DriveElectric@Illinois.gov). Questions received one week or less in advance of the deadline may not receive a response.

Applicants should not contact any IDOT officials regarding this NOFO except through the email provided.

## 2. Funding Information

### 2.1 Total Amount of Funding

This NOFO makes available up to \$50 million in grant funding for Round 1 of the Illinois NEVI Program. To be eligible to receive grants, applicants must meet the requirements outlined in this NOFO.

### 2.2 Anticipated Number of Awards

IDOT's goal in Round 1 is to award the number of sites required to achieve a full build-out of the state's designated AFCs. IDOT has identified 46 eligible locations where one NEVI-compliant EV charging station could be installed or upgraded to support a full build-out. The 46 eligible locations are listed in **Section 4.3** of this NOFO. IDOT expects to make one award per eligible location with no minimum or maximum award size. IDOT reserves the right to make more or fewer awards upon receiving the full pool of applicants and assessing the submissions in relation to the program's goals and objectives.

### 2.3 Availability of Funds and Reimbursement

The Illinois NEVI program is a reimbursable grant program where the grantee is responsible for incurring 100% of the upfront costs and is then reimbursed up to 80% of the eligible costs after IDOT approves the grantee's submitted invoices. IDOT will reimburse actual, reasonable, and

necessary costs based on the approved budget. Reimbursement of eligible costs may only occur after funds are expended and appropriate documentation is submitted for reimbursement.

Additionally, reimbursable work may not begin until a grant agreement is executed between the grantee and IDOT. Any costs incurred prior to the execution of a grant agreement will not be eligible for reimbursement.

Grantees are also eligible for operation and maintenance reimbursements for the duration of the five-year grant period. Grantees may submit operations and maintenance reimbursement requests to IDOT on an annual basis.

## 2.4 Awarding Sites Per Applicant

Applicants must apply for at least one of the eligible locations, identified in **Section 4.3**, and may apply for multiple eligible locations; however, applicants may not submit more than one application per eligible location. IDOT intends to award up to 46 eligible locations at sites that promote an effective, robust buildout of EV charging infrastructure. IDOT reserves the right to award sites in a manner that promotes an effective buildout of EV charging infrastructure, results in the greatest number of viable sites being awarded and maximizes the funding distribution to eligible applicants.

## 2.5 Anticipated Start Dates and Grant Period

Once the merit-based review process is complete and award decisions have been made, finalists will receive a Notice of State Award (NOSA), which specifies the funding terms and specific conditions resulting from the pre-award risk assessments. The NOSA will be provided and must be accepted through the Grantee Portal. The NOSA is not an authorization to begin performance or incur costs. Before any costs are eligible for reimbursement, a grant agreement and NEPA compliance will have to be in place, which will take 3-24 months. Once all final requirements have been completed and a grant agreement is in place between the grantee and IDOT, the grantee may begin incurring costs and invoicing IDOT. IDOT will not reimburse costs incurred prior to the execution of a grant agreement between the grantee and IDOT.

The successful installation, testing and certification of the site will mark the start of the grant period that will continue for 5 years. If a grantee falls short of fulfilling its obligations outlined in the grant agreement, including those specified in the NOFO, IDOT retains the right to decline reimbursement requests, demand partial or full forfeiture of NEVI funds, or impose financial penalties for instances of fraud, misconduct, or non-compliance. Non-performance, as defined by IDOT, encompasses effective and timely EV charger deployment, sustaining 24/7 service throughout the grant period, meeting reporting deadlines, providing accurate deployment data, meeting the minimum uptime requirement, and fulfilling all additional NEVI requirements specified in this NOFO.



### 3. Program Requirements

The Illinois NEVI Program aims to establish a Direct Current Fast Charger (DCFC) infrastructure network consisting of EV charging stations with a minimum of four ports capable of continuous charging at 150 kilowatts (kW) concurrently. These stations shall be located no farther than 50 miles apart and must be located within a one-mile driving distance of a designated AFC.

Funding for any agreement resulting from this NOFO will be paid entirely from NEVI Formula Program funds. All applicable requirements of [Title 23 United States Code \(U.S.C\)](#) and [2 CFR 200](#) apply to the administration of these funds. This includes, but is not limited to, [23 CFR 680](#), [FHWA 1273](#), the [Davis-Bacon Act](#), [Title VI of the Civil Rights Act](#), [the National Environmental Policy Act \(NEPA\)](#), the [Americans with Disabilities Act of 1990 \(ADA\)](#), and [Build America, Buy America Act \(BABA\)](#).

In addition to these requirements, the grantee must comply with all other applicable federal, state, and local laws, standards, and requirements. The grantee will be required to provide at least a 20% contribution in dollars of the total eligible project costs authorized by an agreement between the grantee and IDOT.

#### 3.1 Build America, Buy America Act

The Build America, Buy America Act (BABA) ensures that EV chargers acquired through the NEVI Formula Program will be assembled in the United States and fully comply with BABA requirements for manufactured products. In February 2023, FHWA published a [Federal Register Notice](#) that establishes a temporary waiver of Buy America requirements for EV charging stations. The waiver removes Buy America requirements under [Federal Highway Administration](#) regulations and the [Build America, Buy America Act](#) for the steel, iron, manufactured products, and construction materials in EV chargers. Beginning March 23, 2023, the waiver applies to all EV chargers manufactured before July 1, 2024, with final assembly in the United States. FHWA will begin phasing out waivers in July 2024.

Applicants are responsible for compliance with the most current BABA requirements. Applicants should describe in detail their ability to comply with BABA in their applications.

Key dates and restrictions from FHWA are summarized in **Table 2** below.

**Table 2 – Key Dates and Restrictions**

Key Dates	Restrictions
March 23, 2023 – June 30, 2024	This period does not require charger components to be manufactured in the US, apart from charger housing predominately made of iron or steel.
July 1, 2024 – October 1, 2024	This period will require that the cost of charger components manufactured domestically for EV charging equipment must meet BABA requirements and must exceed 55 percent domestic content for manufactured products. Final assembly of EV chargers must occur in the United States.
October 1, 2024 - Onward	The waiver will remain in place until terminated by the Federal Highway Administration.

Applicants are encouraged to review the Federal requirements and to verify with their equipment supplier(s) that their equipment meets and can document compliance with this requirement.

### 3.2 Federal NEVI Program Statutory Standards and Requirements

Please refer to the NEVI Formula Program Guidance ([Guidance](#)), NEVI Frequently Asked Questions ([FAQs](#)) and the NEVI Final Rule in the Code of Federal Regulations ([23 CFR 680](#)). Applicants must adhere to all provisions included in the NEVI Final Rule as well as any additional provisions in this NOFO.

### 3.3 Cybersecurity Plan

Illinois NEVI Program grantees will be required to submit, upon grant agreement execution, a comprehensive cybersecurity plan for projects. Grantees will be responsible for cybersecurity as it relates to owning, operating, maintaining, and data sharing for the Electric Vehicle Supply Equipment (EVSE). Cybersecurity plans may require annual updates and approvals by IDOT.

An effective Electric Vehicle Service Provider (EVSP) cybersecurity plan documents how the program is enacted internally, as well as security relationship with external groups, including:

- The organizations' physical and cyber security policies, procedures, and remediation plan.
- A description of the organization's cybersecurity program requirements and how the EVSP will meet them.
- A plan to address the unique EVSE challenges, with consideration of the interconnectedness of these systems and their dependence on power, networking, and communications.

The submitted plan should include specifics around the applicant's cybersecurity posture identified using the [NIST 8473](#) Framework (Cybersecurity Framework Profile for Electric Vehicle Extreme Fast Charging Infrastructure) and the [NIST SP 800-18](#) Guide (Guide for Developing Security Plans for Federal Information Systems) or similar internationally accepted frameworks.

In addition, the plan should also cover technical and operational cybersecurity topics, such as:

- User data privacy and protection
- Secure data transfer and protection at rest
- Secure communications protocols
- Payment systems
- Cloud protection
- Supply chain risks
- A way to ensure individuals entitled to access have it and those that are not restricted
- Employee cyber training with respect to these protections, patching, and update

## 3.4 Additional IDOT Requirements

The price for charging shall be clearly displayed and be calculated at a reasonable market rate. This is in addition to the requirements described in **Appendix A**.

## 4. Eligibility Information

### 4.1 Eligible Applicants

In general, potential applicants are eligible under this NOFO if they meet the following requirements:

- Agree to conform to the guidelines in the NEVI Final Rule;
- Agree to the terms and conditions set forth by IDOT;
- Be the deed holder of the property or have an agreement in place with the deed holder for a minimum 5-year period;
- Be the utility customer of record or have an agreement in place with the utility customer of record; and
- Be registered and pre-qualified through the GATA Grantee Portal. (note that Local Public Agencies are exempt from GATA registration and pre-qualification requirements per PA 102-1092).

**GATA Requirements.** All applicants may not apply for a grant until the applicant has registered and is pre-qualified through the Grant Accountability and Transparency Act (GATA) Grantee Portal, [www.grants.illinois.gov/portal](http://www.grants.illinois.gov/portal), except for Local Public Agencies (LPAs). Registration and pre-qualification are required annually. During pre-qualification, verifications are performed including a check of federal [SAM.gov](http://SAM.gov) Exclusion List and status on the Illinois Stop Payment List. The Grantee Portal alerts the entity of “qualified” status or informs how to remediate a negative verification (e.g., inactive DUNS, not in good standing with the Secretary of State). Inclusion on the [SAM.gov](http://SAM.gov) Exclusion List cannot be remediated. Local Public Agencies are required to have a UEI number and must submit the [IDOT Subrecipient Risk Assessment](#).

**Teaming Requirements.** Teaming partnerships are permitted; however, the application should be submitted by the primary applicant who will be responsible to IDOT for the full performance of the grant agreement. Additionally, public sector entities may not own the charging station but may agree to be site hosts as part of the project team.

### 4.2 Ineligible Applicants

Applicants that have NOT satisfied the following GATA pre-qualification requirements are ineligible under this NOFO:

- Registered and pre-qualified through the GATA Grantee Portal, [Illinois GATA Grantee Portal](#)
- Registered with the System for Award Management (SAM) ([www.SAM.gov](http://www.SAM.gov));
- Have a valid Unique Entity ID (UEI);

- Completed an Internal Controls Questionnaire (ICQ) as the fiscal and administrative risk assessment for the current fiscal year;
- In good standing with the Illinois Secretary of State;
- Not currently debarred by the State of Illinois and/or federal government;
- Not on the Federal Excluded Parties List;
- Not on the Illinois Stop Payment List; and
- Not on the sanctioned party list of the Dept. of Healthcare and Family Services.

### 4.3 Eligible Project Locations

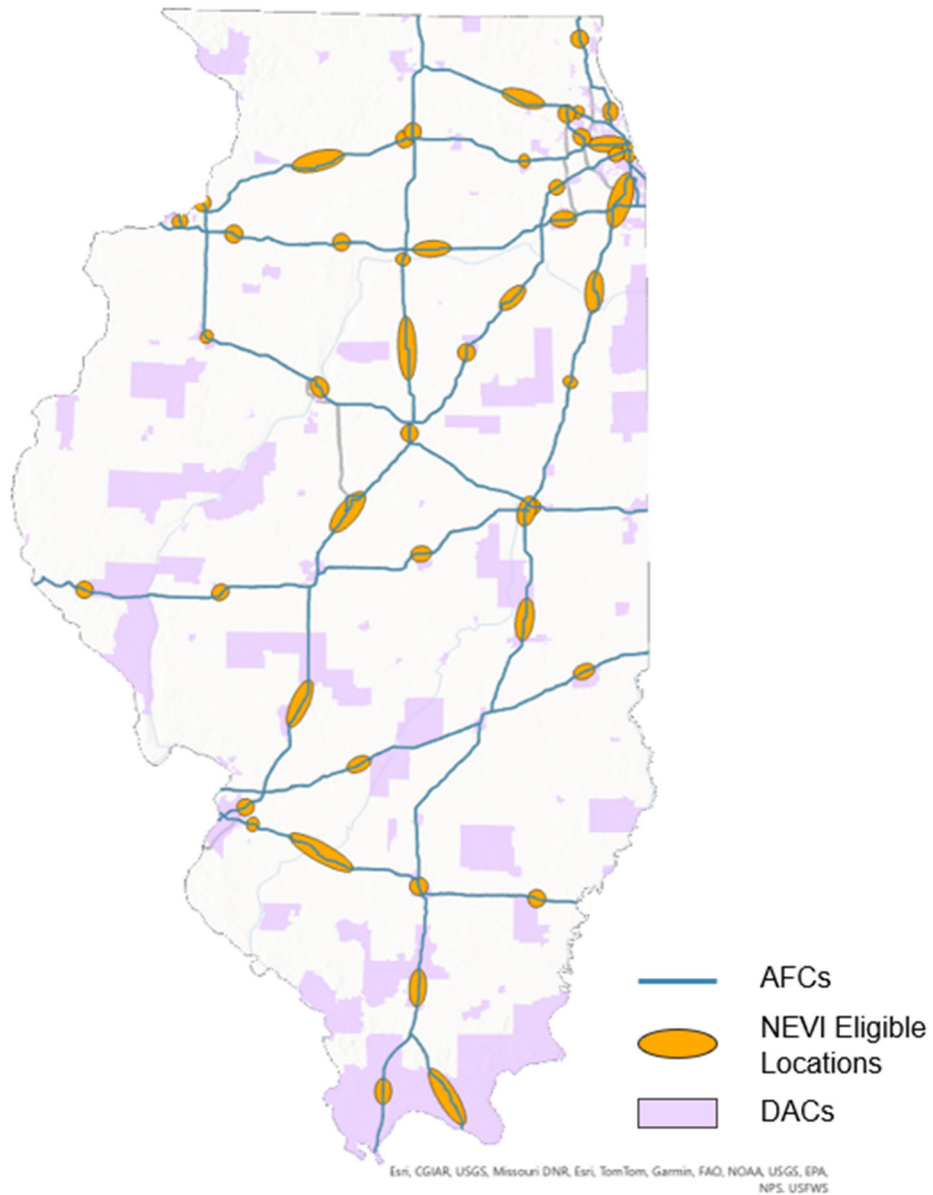
IDOT expects to award Illinois NEVI Program funds to no more than one project per eligible location. However, IDOT reserves the right to make more or fewer awards upon receiving the full pool of applicants. Please note that project selection is at the sole discretion of IDOT.

All project locations funded through Round 1 of the Illinois NEVI Program must meet the following eligibility requirements:

- Directly related to EV charging infrastructure that is open to the public 24 hours a day, 7 days a week, year round;
- Located within a one-mile driving distance of the 46 eligible locations depicted in **Figure 2** and listed in **Table 3**;
  - **Note:** Applications to upgrade existing EV charging stations located within a one-mile driving distance of the eligible locations may be submitted and will be considered.
- Not located within the Interstate and/or state-owned right-of-way;
- Include for each EV charging station at least four DCFCs with Combined Charging System (CCS) ports that are capable of simultaneously charging four EVs at 150kW (or above) at each port, with a minimum station power capability at or above 600kW;
- Satisfy the requirements of this NOFO, the NEVI Final Rule, the NEVI Formula Program Guidance and any additional requirements to be finalized after contingent award and included in the final contract documents;
  - **Note:** Minimum standards and requirements outlined in the NEVI Final Rule ([23 CFR 680](#)) are also detailed in **Appendix A**

Funding under Round 1 of the Illinois NEVI Program is directed to projects that will facilitate a full build-out of the state's AFCs through a network of NEVI-compliant EV charging stations as depicted in **Figure 2**.

**Figure 2 – Map of NEVI Eligible Locations**



**Note:** The ovals on the map represent approximate areas and should not be considered to scale. Eligible sites must be located within a one-mile driving distance of an AFC.

IDOT has identified 46 eligible locations, listed in **Table 3**, where one NEVI-compliant EV charging station could be located to efficiently achieve a full build-out of Illinois' AFCs. The eligible locations are approximate and represent a group of exits that would be appropriate for meeting the NEVI requirement for station locations to be no more than 50 miles apart.

**Table 3 – Table of Planned NEVI-funded EV Charging Station Eligible Locations**

AFC								
I-24	Location ID	01						
	Exit Options	16 or 37						
I-39	Location ID	02	03	04				
	Exit Options	14, 27, or 35	54 or 57	99				
I-55	Location ID	05	06	07	08	43	44	
	Exit Options	263 or 267	217,220, or 227	115, 119, 123, 126, or 133	44, 52, or 60	197	286, 289, or 290	
I-57	Location ID	09	10	11	12	13	14	15
	Exit Options	18 or 24	53, 54, 59, or 65	190 or 203	232, 235, 237, or 238	280 or 283	312, 308, 315, 318, or 322	339, 340, 342, 346, 348, 350, 353, 354, 355, or 357
I-64	Location ID	16	17	46				
	Exit Options	117	27, 41, or 50	12 or 14				
I-70	Location ID	18	19	42				
	Exit Options	129 or 136	52 or 45	11				
I-72	Location ID	20	21	22				
	Exit Options	138, 141, or 144	64 or 68	20				
I-74	Location ID	23	24	25	26			
	Exit Options	181	88, 89, 92, 93, 94, 95, or 96	51 or 48	5, 4, 3, or 2			
I-80	Location ID	27	28	29	33	40		
	Exit Options	137, 134, 133, 132, or 130	81, 90, or 93	56	1	19		
I-88	Location ID	30	31	32				
	Exit Options	117 or 119	76	36, 41, 44, or 54				
I-90 /94	Location ID	34						
	Exit Options	52, 53 56, or 57						

AFC			
I-90	Location ID	35	38
	Exit Options	47, 52, 54, 56, or 59	70 or 73
I-94	Location ID	36	45
	Exit Options	8	35, 37, 39, or 41
I-290	Location ID	37	
	Exit Options	Any Exit	
I-57/ 64	Location ID	39	
	Exit Options	95 or 94	
I-55 /74	Location ID	41	
	Exit Options	160	

#### 4.4 Eligible Costs

Illinois NEVI Program funds are restricted to projects that are directly related to publicly accessible EV charging infrastructure. As such, the following items are eligible for reimbursement:

- Costs to acquire and install on-site electric service equipment (e.g., service connection, power meter / submeter, transformer, breaker panel upgrade, and customer feeder installation) not to exceed \$120,000 in reimbursable costs, though exceptions that exceed this limit will be considered on a case-by-case basis;
- Costs of minor grid updates (work necessary to connect a charging station to the electric grid distribution network like extending power lines or upgrading existing power lines);
- Costs to procure and install, upgrade, and/or replace existing EV charging equipment to meet NEVI minimum standards and requirements;
- Costs to procure and install EVSE-related hardware and software;
- Fixed operating and maintenance costs (up to five years after the charging station is commissioned) including:
  - Charging equipment lease fees (if site applicant chooses lease option for charging equipment rather than purchase option). The lease costs are only eligible if paid in advance through a contract.
  - Cellular network fees, internet service fees, or similar fees.
  - Charger network fee.
- Costs of engineering, design and permitting; and
- Costs for additional ports or chargers beyond the NEVI requirement of four 150kW ports per EV charging site may be considered if each additional port meets the same criteria listed for the minimum four 150kW ports in 23 CFR 680 (each additional port is capable of simultaneously charging at 150kW or greater with a CCS Type 1 connector, etc.). While these costs may be considered, it is not guaranteed that they are to be eligible for grant funds.
- Costs for adapters to accommodate non-CCS charging will be limited to a reimbursement of \$200 per port for the adapter hardware.

Applicants should note that IDOT will not reimburse costs incurred prior to the execution of a grant agreement between the grantee and IDOT. Additionally, applicants should incorporate IRA 30 tax credit eligibility into their cost analysis within qualified census tracts.

## 4.5 Ineligible Costs

Ineligible costs are expenses deemed to be ineligible by NEVI Final Rule ([23 CFR 680](#)) as well as other applicable federal, state, and local laws.

Ineligible costs include, but are not limited to:

- Costs incurred prior to a fully executed grant agreement with IDOT;
- Costs not related directly to vehicle charging;
- Costs for lobbying, or for the intervention in state, federal regulatory, or adjudicatory proceedings;
- Costs for construction or general maintenance of building and parking facilities (if not related directly to vehicle charging);
- Costs of major grid upgrades not within reason;
- Costs for additional ports or chargers that do not meet the same criteria listed for the minimum four 150kW ports in [23 CFR 680](#);
- Costs to acquire and install on-site electric service equipment (e.g., service connection, power meter / submeter, transformer, breaker panel upgrade, and customer feeder installation) that exceed the \$120,000 reimbursable cost limit for electric service equipment, though exceptions will be considered on a case-by-case basis;
- Utility service upgrade costs covered by the utility;
- Costs covered by programs or tariff rules of the electric utilities;
- Costs for research projects; and
- Administrative costs, including overhead and indirect costs (e.g., office supplies, rent, marketing, and advertising).

## 4.6 Cost Sharing

Illinois NEVI Program funds are federal funds. Applicants may apply for up to 80 percent federal cost share of the eligible costs, with a minimum required match of 20 percent from non-federal sources. Eligible costs are defined in **Section 4.4** of this NOFO.

Any existing financial incentive that directly reduces the cost of the proposed activity, such as tax credits or deductions, other grants, or any other public financial assistance must be disclosed and accounted for in the request for reimbursement. The grant reimbursement plus financial incentives must not exceed 100% of the total cost of the proposed activity. The federal reimbursement must not exceed 80% of the total eligible costs incurred by the applicant for the proposed activity.

**Note:** Funding provided through utility tariff programs may not be used as match share.



## 4.7 Workforce Requirements

As part of the procurement process, IDOT will require vendors to prove full compliance with the NEVI Formula Program workforce requirements as defined in the NEVI Final Rule ([23 CFR 680](#)). This includes that all electricians installing, operating, or maintaining NEVI-compliant stations have appropriate licenses, certification, and training to ensure that the installation and maintenance of NEVI-complaint stations are performed safely by a qualified and increasingly diverse workforce of licensed technicians and other laborers.

This means electricians must meet one or both of the following requirements:

- Certification from the Electric Vehicle Infrastructure Training Program (EVITP); and
- Graduation from a Registered Apprenticeship Program for electricians that includes EVSE-specific training and is developed as a part of a national guideline standard approved by the US Department of Labor (UDOL) in consultation with the US Department of Transportation.

For projects requiring more than one electrician, at least one electrician must meet the requirements above, and at least one electrician must be enrolled in an electrical registered apprenticeship program.

All other onsite, non-electrical workers directly involved in the installation, operation, and maintenance of NEVI-compliant stations must have graduated from a registered apprenticeship program or have appropriate licenses, certification, and training as required by IDOT and the finalized NEVI program minimum standards and requirements.

## 5. Application and Submission Information

### 5.1 Website to Download Application Package

Applicants can download the application package, which includes all required submission materials, through the [Illinois Drive Electric Website](#).

Applicants should refer to the Illinois Drive Electric website for the most up to date information regarding the NOFO and application.

### 5.2 Content and Form of Application Submission

All applications must be submitted via email to DOT.NEVIApplication@illinois.gov <mailto:placeholderemail@gmail.com> by no later than 05:00pm CT on May 7th, 2024.

Applicants must complete a separate application and submit a separate email for each proposed eligible location. Please do not submit an application for the same eligible location more than once.

All application materials should be submitted following the formatting and naming instructions provided in the Application Submission Checklist. The Application Submission Checklist can be downloaded with the application package and should be used as a reference for submitting your applications. For each eligible location, application materials should be submitted in a ZIP file that is not password protected. Applicants should note that the email size (including the message itself and the attachments) cannot exceed 35 MB.

All required forms and attachments must be submitted for the application to be considered complete. Applications may be rejected if they do not include all required submissions.

Each application must include the following required application forms and attachments:

#### Application Forms

- Form 1: Compliance Checklist (Excel Format)
- Form 2: Technical Application (Excel Format)
- Form 3: Detailed Cost Proposal (Excel Format)
- Form 4: Detailed Project Schedule (Excel Format)
- Form 5: Utility Form (Excel Format)
- Form 6: Letter from Site Host (PDF Format)

Application forms can be downloaded as part of the application package from the Illinois Drive Electric website. Applicants must complete all required fields for each form.

#### Attachments

- Attachment A: Resumes of Key Personnel (PDF Format)
- Attachment B: Proof of Technical Licenses/ Certifications (PDF Format)
- Attachment C: EVSE Equipment Certifications (PDF Format)
- Attachment D: Site Ownership Documentation (PDF Format)
- Attachment E: Site Schematic (PDF Format)
- (Optional) Attachment F: Evidence for Future Proofing (PDF Format)
- (Optional) Attachment G: Community Letters of Support (PDF Format)

#### Required GATA Forms

- GATA Form 1: Uniform Budget Template (PDF Format)
- GATA Form 2: Uniform Grant Agreement (PDF Format)
- GATA Form 3: Conflict of Interest Disclosure (PDF Format)
- GATA Form 4: Programmatic Risk Assessment (PDF Format)
- GATA Form 5: IDOT Subrecipient Risk Assessment (PDF Format) (Required by Local Public Agencies ONLY)

Required GATA Forms can be downloaded as part of the application package from the Illinois Drive Electric website. Applicants must complete all required fields for each form.

More detail on application forms and attachments is provided below.

#### **Form 1: Compliance Checklist**

Applicants must certify that their proposed project will meet the baseline requirements of the NOFO, as outlined in Section 6.2 of this NOFO, and the standards and requirements of the NEVI Formula Program, as outlined in 23 CFR 680.

### **Form 2: Technical Application**

Applicants must complete all required sections of the technical application. The sections include: Applicant Contact Information, Project Narrative, Project Team Qualifications and Experience, Site Host Information, Site Characteristics. Site Preparation and Risks, EVSE Specifications, Future Proofing and Equity.

### **Form 3: Detailed Cost Proposal**

Applicants must complete the Detailed Cost Proposal Form by entering all of the required information. Applicants should not change any of the formulas within the form. For each cost line-item, applicants should provide a justification for how the cost estimates were derived (e.g., estimate was informed by a formal quote, etc.). The Detailed Cost Proposal will calculate Total Project Reimbursement based on the inputs provided by the applicant. Applicants should note the following when completing this form:

- Only eligible costs, as outlined in Section 4.4 of this NOFO, should be included for each line-item.
- The Requested Reimbursement Percentage for capital costs and O&M costs should not exceed 80 percent.

### **Form 4: Detailed Project Schedule**

Applicants must complete the Detailed Project Schedule by entering all required information. To complete the Project Schedule Chart, applicants should assume a Notice-to-Proceed (NTP) date of August 12<sup>th</sup> 2024. Note that this NTP date is provided for estimation purposes only and is subject to change. For each activity applicants should enter the anticipated start date and completion date in the YYYY-MM-DD format.

### **Form 5: Utility Form**

Applicants must complete all fields in the “TO BE COMPLETED BY APPLICANT” section of the form, send the form to their utility to complete the “TO BE COMPLETED BY UTILITY” section, and then submit the completed form with their application. The purpose of this form is to assist applicants as they request information from the utility that serves the NEVI location where the applicant intends to site their charging station. IDOT is asking applicants to complete the top portion of this form and utility representatives to complete the lower portion. The information collected in this form should be used by the applicant to inform their applications and cost proposals. In the event the applicant is not able to get a response from the utility, the applicant should indicate the times and methods used to reach out to the utility in the appropriate row in the Utility Form.

When this form is sent to the utility, please include (at minimum) an aerial view of the site with callouts for transformers and meter. Sending the site schematic showing the exact location for EV charging infrastructure and parking space(s), EVSE, utility equipment (transformers, meter, etc.), location, point of sale equipment, electric service to the site, and any future-proofing needs is also acceptable.

This form should be completed to the best of the applicant's ability prior to sending it to the utility. IDOT requests answers to each field, but if the applicant does not know or does not have an answer to any individual row, please enter "N/A" in the Data Entry column for that row. Applicants shall not fill in any information on behalf of the utility and shall not make any changes to the applicant-completed section, including the Proposed In-service Date, after receiving the completed form back from the utility. If the timeline information from the utility changes the timeline for the applicant, this should be noted in the Project Schedule section rather than making a change to the Proposed In-service Date in the section completed by the applicant. Responses from the utility shall be unedited and submitted as-is.

#### Illinois Utility Provider Contact List

Utility	Utility Contact Name	Email	Phone
Ameren Illinois Company	Barry Frazier	<a href="mailto:BFrazier@ameren.com">BFrazier@ameren.com</a>	618-570-9717
City of Casey Municipal Utility	Shelby Biggs	<a href="mailto:utilitysupt@cityofcaseyil.org">utilitysupt@cityofcaseyil.org</a>	217-932-3501
Commonwealth Edison	Business Customer Service		866-639-3532
City of Geneseo Municipal Utility	Eric Rowold	<a href="mailto:erowold@cityofgeneseo.com">erowold@cityofgeneseo.com</a>	309-944-0930
City of Metropolis Municipal Utility	Michael Gentry	<a href="mailto:mgentry@metropolisIL.gov">mgentry@metropolisIL.gov</a>	270-816-3765
MidAmerican Energy Illinois	Elijah Feuerhelm	<a href="mailto:ElectricVehicles@midamerican.com">ElectricVehicles@midamerican.com</a>	515-242-3993
City of Oglesby Municipal Utility	Mark Marincic	<a href="mailto:electricdept@oglesbyil.gov">electricdept@oglesbyil.gov</a>	815-481-9294
City of Princeton Municipal Utility	Jeff Mangrich	<a href="mailto:jmangrich@princeton-il.com">jmangrich@princeton-il.com</a>	815-875-2631 ex.1201
City of Rochelle Municipal Utility	Blake Toliver	<a href="mailto:btoliver@rmu.net">btoliver@rmu.net</a>	815-561-2000
City of Rock Falls Municipal Utility	Dick Simon Larry Hanrahan	<a href="mailto:Dsimon@rockfalls61071.com">Dsimon@rockfalls61071.com</a> <a href="mailto:Lhanrahan@rockfalls61071.com">Lhanrahan@rockfalls61071.com</a>	815-622-1145

#### Form 6: Letter from Site Host

Applicant shall provide a signed letter from the Site Host of the proposed site. Applicants must complete all the fields in the "To be Completed by Applicant" Section, then send the form to the Site Host to complete all the fields in the "To be Completed by Site Host" Section. The intent of this letter is to evidence a binding, non-exclusive commitment of the Site Host to allow the Applicant to construct, operate and maintain an EV Charging Station at the Site Host's property for a minimum of 5 years from the commencement of operations.

#### Attachment A: Resumes of Key Personnel

Applicant shall provide the resumes of key personnel including, but not limited to, the project owner, site host, EVSE supplier, EVSE installer/ contractor, operations and maintenance provider, utility, sub-contractors, and consultants. The resumes should include information such as education history, certifications related to the project, and professional history. Resumes must be no longer than one page.

### **Attachment B: Proof of Technical Licenses/ Certifications**

In addition to providing the full name, Illinois licensure information, and a description of qualifications in the technical application, the Applicant must provide proof of license/certification for the qualified technicians who will install and operate the EV charging station including 1) Design Lead/ Illinois Professional Engineer License and 2) EVITP Certification.

### **Attachment C: EVSE Equipment Certification**

Applicant shall submit the appropriate certifications for each listed EVSE component. The certifications must include information detailing capacity and conformance with industry standards. Any other relevant EVSE certifications should be submitted as well. Manufacturer certifications are also acceptable for this purpose.

### **Attachment D: Site Ownership Documentation**

Applicants must submit ONE of the following documents as evidence of site ownership:

- The Original Property deed,
- Lease agreement,
- Mortgage Statement, or
- Current Property Tax Bill

The site ownership documentation should prove that the Site Host has control over the property for a minimum 5-year period, from the commencement of operations.

### **Attachment E: Site Schematic**

Applicants must submit a site schematic that shows an ariel view of the site and annotates the exact locations for EV charging infrastructure and parking space(s), EVSE, utility equipment (transformers, meter, etc.), location, point of sale equipment, electric service to the site, and any future-proofing needs. The Site Schematic must be submitted in PDF format.

### **Attachment F: Evidence for Future Proofing (Optional)**

If applicable, the applicant may submit evidence that supports the future proofing potential identified in Form 2: Technical Application. Supporting evidence may include, but is not limited to, load capacity of the site, agreement with Site Host to expand charging stations in the future, etc.

### **Attachment G: Community Letters of Support (Optional)**

If applicable, the applicant may submit Letters of Support from community members or local business and organizations.

## **5.3 Unique Entity Identifier (UEI) and System for Award Management (SAM)**

Each applicant (unless the applicant is an individual or Federal or State awarding agency that is exempt from the requirements under 2 CFR §25.110(b) or (c), or has an exception approved by the Federal or State awarding agency under 2 CFR § 25.110 (d)) is required to:

- Be registered in SAM before submitting its application. To establish a SAM registration, go to [www.SAM.gov](http://www.SAM.gov) and/ or utilize this instructional link: How to Register in SAM from the <https://gata.illinois.gov/> Resource Links tab. As of 6/11/18, entities registering in SAM

must submit a notarized letter appointing their authorized Entity Administrator. Use the updated FAQ sheet from SAM.gov to learn more.

- Provide a valid UEI number in its application; and
- Continue to maintain an active SAM registration with current information at all times during which it has an active Federal, Federal pass-through or State award or an application or plan under consideration by a Federal or State awarding agency. It also must state that the State awarding agency may not make a Federal pass-through or State award to an applicant until the applicant has complied with all applicable SAM requirements and, if an applicant has not fully complied with the requirements by the time the State awarding agency is ready to make a Federal passthrough or State award, the State awarding agency may determine that the applicant is not qualified to receive a Federal pass-through or State award and use that determination as a basis for making a Federal pass-through or State award to another applicant.

## 5.4 Submission Dates and Times

Applications must be received by IDOT by 05:00pm (CT) on May 7<sup>th</sup>, 2024. No additional materials will be accepted after the initial submittal of the application. Late or incomplete applications will not be considered.

## 5.5 Pre-award Requirements

For the applicant to remain eligible for an award, they must complete the pre-award requirements detailed below and provide the requested information by May 7<sup>th</sup> 2024 by 05:00pm CT.

### **For Private and Not for Profit Applicants:**

- Authentication (Grantee Portal)
- Grantee Registration (Grantee Portal)
- Grantee Pre-qualification (Grantee Portal)
- Financial and Administrative Risk Assessment Internal Control Questionnaire (IQC) (Grantee Portal)
- Programmatic Risk Assessment (GATA Form 4)

### **For Local Public Agencies:**

- IDOT Subrecipient Risk Assessment (GATA Form 5)
- Programmatic Risk Assessment (GATA Form 4)

## 6. Application Review Information

### 6.1 Merit Based Review Process

All projects funded through the Illinois NEVI Program must be selected through a competitive merit-based review process. To comply with federal and state guidelines, IDOT uses a numerically based scoring process.

Upon receipt of applications, IDOT will perform an initial review on a pass/fail basis to determine compliance with the baseline requirements outlined in **Table 4**. GATA prequalification requirements, and GATA documents submitted with the application will be evaluated to determine project eligibility. If there are significant errors or project misrepresentations in the cost estimates, it may be determined that the application is incomplete and is not eligible to be evaluated within the merit-based review process. Additionally, if an application does not propose to meet minimum NEVI standards and requirements as outlined in **Appendix A** and [23 CFR 680](#), including minimum number of charging ports, power level, and availability, it may be determined that the application is not eligible to be evaluated within the merit-based review process. IDOT may allow applicants to cure missing documentation and/or incomplete information. Otherwise, applications may be deemed non-compliant and excluded from further consideration.

Once applications are determined to be compliant with the baseline requirements, each application will be reviewed, evaluated, and scored by IDOT based on the evaluation criteria provided in **Table 5**. Applications will be evaluated against others in the same eligible location. IDOT shall conduct a comprehensive, fair, and impartial evaluation of all applications. After the review is complete, the application receiving the highest score in each eligible location will be considered the finalist. However, IDOT may award sites in a manner that promotes an effective buildout of EV charging infrastructure and maximizes the funding distribution to eligible applicants. Upon completing all pre-award requirements, finalists will receive a Notice of State Award.

## 6.2 Evaluation Criteria

**Table 4 – Illinois NEVI Program Application Baseline Requirements**

<b>Application Baseline Requirements</b>		
<b>Category</b>	<b>Description</b>	<b>Rating</b>
<b>Applicant Meets Minimum NEVI Requirements</b>	Applicant satisfies all minimum NEVI standards and requirements.	Pass/Fail
<b>Deed Holder or Agreement with Deed Holder</b>	Applicant provides the property deed or, if applicable, proof of an agreement with the deed holder of the property for a minimum 5-year period.	Pass/Fail
<b>Utility Customer of Record or Agreement with the Utility Customer of Record</b>	Applicant provides documentation identifying they are the utility customer of record or, if applicable, proof of an agreement with the utility customer of record.	Pass/Fail
<b>Site Location</b>	Project site is located within a one-mile driving distance of the 46 eligible locations.	Pass/Fail
<b>Applicant meets GATA Registration and Pre-qualification</b>	All applicants must be registered and pre-qualified through the GATA Grantee Portal.	Pass/Fail

Requirements (LPAs are exempt)		
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**Table 5**, the application scoring criteria, focuses on: Project Budget; Site Readiness; Site Characteristics; Project Team Qualifications, Experience, and Approach; Future Proofing and Innovation; and Equity. IDOT seeks applications that not only address immediate needs, but also align with the Illinois NEVI Program’s five core values – Economy, Livability, Mobility, Resiliency, and Stewardship – and benefit the sustained well-being of communities across Illinois. As applicants navigate the scoring criteria in **Table 5**, they should consider the impact the proposal could have on supporting resilient, inclusive, and thriving transportation infrastructure in Illinois.

**Table 5 – Application Scoring Criteria**

Application Scoring Criteria				
ID	Criteria	Description	Points Breakdown	Max Points
<b>Project Budget (20 pts)</b>				
1.1	<b>Funding Request</b>	Total cost reimbursement requested from IDOT.	<p><b>10 pts:</b> Application with the lowest funding requested in the eligible location.</p> <p>All other applications will be normalized according to the following calculation:</p> <p>(Lowest funding requested in the eligible location / Application funding requested) * 10</p>	10
1.2	<b>Cost Per Port to the IL NEVI Program</b>	Sum of total cost reimbursement requested from IDOT divided by number of proposed ports capable of simultaneously charging at 150kW or above (not including future proofing potential).	<p><b>5 pts:</b> Application with the lowest cost per port in the eligible location.</p> <p>All other applications will be normalized according to the following calculation:</p> <p>(Lowest cost per port in the eligible location / Application cost per port) * 5</p>	5
1.3	<b>Budget Narrative</b>	Breakdown of expected costs and associated narrative and rationale describing costs estimates.	<p><b>0 pts:</b> Minimal cost breakdown, inadequate narrative and/or omitted costs/ unreasonable estimates.</p> <p><b>1-5 pts:</b> Based on reasonableness of cost estimates, provided rationale and description of costs.</p>	5
<b>Site Readiness (25 pts)</b>				
2.1	<b>Project Schedule</b>	Proposed schedule for installation and deployment of EV charging station.	<p><b>0 pts:</b> Minimal detail provided regarding project schedule and/or lack of sufficient evidence supporting proposed schedule.</p>	15



			<b>1-15 pts:</b> Based on proposed project schedule, sufficient evidence to support proposed schedule and description of how project will be completed in an expeditious, effective and efficient manner.	
2.2	<b>Utility Coordination</b>	Level of coordination with utility and networking capabilities.	<b>0 pts:</b> No work order quote from the utility (or equivalent) provided.  <b>1-5 pts:</b> Work order quote from utility (or equivalent) provided with sufficient cost and schedule detail to inform criteria 1.1 and 2.1.	5
2.3	<b>Site Preparation</b>	Extent to which project site addresses following site preparation and risk factors: <ul style="list-style-type: none"> <li>Existing paved area or graded area</li> <li>Site contamination / remediation</li> <li>Site development</li> <li>Permitting</li> <li>Construction safety</li> <li>Other risks and challenges</li> </ul>	<b>0 pts:</b> Extensive site preparation and permitting required and/or extensive risks to project completion.  <b>1-5 pts:</b> Based on site preparation, remediation, and construction required relative to quantity and severity of risk factors.	5
<b>Site Characteristics (10 pts)</b>				
3.1	<b>Charging Stalls and Ports</b>	Number of charging stalls and ports available to public at project completion.	<b>0 pts:</b> 4 charging stalls and ports (minimum NEVI requirement).  <b>2 pts:</b> >4 charging stalls and ports capable of simultaneously charging at 150kW or above (not including future proofing potential).	2
3.2	<b>Co-Location Amenities</b>	Project site easily accessible to amenities including, but not limited to; <ul style="list-style-type: none"> <li>24/7 public restrooms</li> <li>indoor public seating</li> <li>restaurants</li> <li>other retail</li> <li>public Wi-Fi access</li> <li>truck parking</li> <li>covered area or awning</li> <li>proximity to AFC exit</li> </ul> (Note co-located amenities are not eligible expenses)	<b>0 pts:</b> Project site has access to minimal amenities.  <b>1-8 pts:</b> Based on amount and quality of available amenities.	8
<b>Project Team Qualifications, Experience and Approach (27 pts)</b>				
4.1	<b>Project Team Qualifications and Experience</b>	<ul style="list-style-type: none"> <li>Relevant project team experience installing, operating, and maintaining EV chargers (e.g., number of active sites, number of active ports, number of installed</li> </ul>	<b>0 pts:</b> Project team has no relevant prior experience, qualifications and/or has major financial concerns.  <b>1-11 pts:</b> Based on quantifiable and relevant experience (e.g., number of previously installed chargers and	11

		<p>EV charging stations in past five years, etc.).</p> <ul style="list-style-type: none"> <li>• Types of organizations involved in project team.</li> <li>• Funding commitments, sources, and cash flows.</li> <li>• Plan for workforce training and EVITP training.</li> </ul>	<p>qualifications), quality of financial information and workforce training plan.</p>	
4.2	<b>Approach to Operations &amp; Maintenance (O&amp;M)</b>	<p>Includes detailed plan for O&amp;M including at minimum:</p> <ul style="list-style-type: none"> <li>• Roles and responsibilities</li> <li>• Plan to achieve station uptime of 97% or greater</li> <li>• Prior relevant experience with O&amp;M</li> <li>• Number of EV charging stations operated and maintained over past five years.</li> </ul>	<p><b>0 pts:</b> No O&amp;M plan provided, or plan includes limited/minimal information.</p> <p><b>1-8 pts:</b> Based on detail provided, including description of roles and responsibilities, prior experience and qualifications, frequency of maintenance and uptime plan.</p>	8
4.3	<b>Approach to Cybersecurity</b>	<p>Includes cybersecurity plan detailing, at minimum, protection measures for data storage, management, transfers, and specifics related to <a href="#">NIST 8473</a> Framework and <a href="#">NIST SP 800-18</a> Guide.</p>	<p><b>0 pts:</b> No or insufficient cybersecurity considerations at site.</p> <p><b>3 pts:</b> Provides robust cybersecurity plan detailing, at minimum, protection measures for data storage, management, transfers, and specifics related to <a href="#">NIST 8473</a> Framework and <a href="#">NIST SP 800-18</a> Guide.</p>	3
4.4	<b>Approach to Safety</b>	<p>Includes post-construction physical safety plan that addresses safety for EV charging station users including fire prevention, adequate signage, and lighting.</p>	<p><b>0 pts:</b> No or insufficient physical safety plan provided.</p> <p><b>1-3 pts:</b> Based on details provided regarding a robust safety plan that details fire prevention, signage and lighting considerations.</p>	3
4.5	<b>ADA Accessibility Standards for Electric Vehicle Charging Stations</b>	<p>Includes details on how ADA Accessibility Standards technical requirements for floor and ground surfaces, clear floor, or ground space, reach ranges, operable parts, accessible routes, and other provisions in parking, signs, and fare machines will be met and other considerations in alignment with <a href="#">36 CFR 1191.1</a>.</p>	<p><b>0 pts:</b> Insufficient details provided on proposed plans to meet ADA Accessibility Standards not compliant with <a href="#">36 CFR 1191.1</a>.</p> <p><b>2 pts:</b> Provides robust details on how technical requirements for the ADA Accessibility Standards for EV charging stations will be met in alignment with <a href="#">36 CFR 1191.1</a>.</p>	2
<b>Future Proofing and Innovation (8 pts)</b>				
5.1	<b>Potential for Additional Charging, Power,</b>	<p>Future ability to install additional charging station infrastructure, parking stalls and power that can support future EV users and/or</p>	<p><b>0 pts:</b> No / limited future potential for additional charging station infrastructure, parking stall, power, and/or capacity for MDV/HDV charging.</p>	5

	<b>and Capacity Expansion</b>	Medium Duty Vehicles (MDVs)/High Duty Vehicles (HDVs).	<b>1-5 pts:</b> Potential for additional charging station infrastructure, parking stalls, power, and/or capacity for MDV/HDV charging.	
5.2	<b>10-year Operating Plan</b>	Plans for the site and equipment beyond the 5-year grant period of the NEVI program	<b>0 pts:</b> No / unsatisfactory planning beyond the 5-year grant period.  <b>1-3 pts:</b> Extensive planning including, but not limited, to expected upkeep, continuation of site ownership / leasing, equipment end-of-life planning, maintaining the charging site after the end-of-life of the equipment purchased during this round of the NEVI program. If the charging hardware is leased, a plan shall exist for ensuring the site will continue to provide fast charging to drivers beyond the lease term.	3
<b>Equity (10 pts)</b>				
6.1	<b>Community and Stakeholder Engagement</b>	Provides evidence for community/stakeholder engagement and/or provides plan for future community/stakeholder engagement.	<b>0 pts:</b> No evidence of previous community/stakeholder engagement and no plan provided for future engagement.  <b>1-4 pts:</b> Sufficient evidence provided for previous community/stakeholder engagement and/or adequate plan for future engagement.	4
6.2	<b>Proximity to Justice40 Disadvantaged Community (DAC)</b>	Distance of project site from Justice40 DACs.	<b>0 pts:</b> Greater than 2mi  <b>1 pt:</b> 1 to 2mi  <b>2 pts:</b> 0 to 1mi	2
6.3	<b>Equity Principles</b>	Applicant incorporates equity principles throughout application for example; <ul style="list-style-type: none"> <li>• Provides explanation of how project will benefit neighboring community</li> <li>• Addresses equity considerations detailed in Illinois Electric Vehicle Infrastructure Deployment Plan 2023 Update</li> <li>• Provides multiple payment options for EV charger users</li> <li>• Provides multilingual access for EV charger users</li> </ul>	<b>0 pts:</b> No / limited incorporation of equity principles.  <b>1-4 pts:</b> Based on extent to which application incorporates equity principles.	4

### 6.3 Merit-Based Review Appeal Process

A merit-based evaluation appeal process is available to applicants, but appeals are limited to the evaluation process. Evaluation scores may not be protested. IDOT only provides one opportunity to appeal a determination. An appeal must be submitted to the following email address:

DOT.NEVIApplication@illinois.gov

Appeals must be received within 14 calendar days after the date that the grant award notice has been published by IDOT to grants.Illinois.gov. The appeal should include at a minimum the following: the name and address of the appealing party, identification of the grant, and a statement of reasons for the appeal. IDOT will acknowledge receipt of an appeal within 14 calendar days from the date the appeal was received. When an appeal is received, the execution of all grant agreements that IDOT intends to make under this NOFO shall be stayed until the appeal is resolved, unless IDOT determines the needs of the State require moving forward with execution of the grant agreements. The State need determination and rationale shall be documented in writing.

IDOT will respond to the appeal within 60 days or supply a written explanation to the appealing party as to why additional time is required. The appealing party must supply any additional information requested by IDOT within the time set in the request. IDOT will resolve the appeal by means of written determination, which shall include, but not be limited to, review of the appeal, appeal determination, and rationale for the determination. If an action concerning the appeal has commenced in a court or administrative body, IDOT may defer resolution of the appeal pending the judicial or administrative determination.

### 6.4 Anticipated Announcement and State Award Dates, If Applicable

**Table 6 – Timeline of State Award and Grant Agreement Execution**

IDOT Action	Anticipated Date
Send a Notice of State Award to finalist for signature	July 2024
Send Grant Agreement to finalist for signature	July 2024
Grant Agreement execution and NEPA compliance	3-24 months after contingent award

## 7. Award Administration Information

### 7.1 Notice of State Award

Successful applicants will receive a NOSA which specifies the funding terms and specific conditions resulting from the pre-award risk assessments detailed in **Section 5.5**. The NOSA will be provided and must be accepted through the Grantee Portal. The NOSA is not authorization to begin performance or incur costs.

Prior to beginning installation, projects will be required to work with IDOT staff complete an environmental review in compliance with the National Environmental Policy Act (NEPA). It is anticipated that IDOT's NEPA process will take between 3 and 24 months.

All applicants will receive an award status notification letter from IDOT after project announcements regardless of whether they were awarded Illinois NEVI Program funds or not.

## 7.2 Administrative and National Policy Requirements

Federal: NEVI Final Rule ([23 CFR 680](#)), Infrastructure and Jobs Act ([IIJA 1109](#))

State: Illinois Prevailing Wage ACT ([820 ILCS 130](#)), Illinois Works Jobs Program Act ([30 ILCS 559](#))

## 7.3 Reporting

Grantees must comply with all Federal and State Reporting Requirements. As per the NEVI Final Rule, grantees are required to submit the following three reports: Annual Data Submittal, Quarterly Data Submittal and One-time Data submittal. The Joint Office of Energy and Transportation is developing a data platform called the Electric Vehicle Charging Analytics and Reporting Tool ([EV-ChART](#)) that will be used for all data submittals required by the NEVI Final Rule. Grantees will be required to submit data on a quarterly and annual basis to IDOT and authorized IDOT NEVI contract sub-recipients, in the standardized format specified by the Joint Office of Energy and Transportation. For more information about the contents of the three required reports refer to **Appendix A** or [23 CFR 680.112](#).

In addition to the NEVI reporting requirements, all grantees will be required to submit quarterly progress reports to IDOT during the construction period (unless otherwise specified in the grant agreement), describing the progress of the project and costs incurred. Quarterly progress reports will be due by January 15, April 15, July 15, and October 15 for the prior quarter. At a minimum, grantees must report the status of the project, including dates of specific tasks completed during the reporting period and tasks that remain to be completed, specific costs incurred and paid by the grantee during the reporting period, and projected date of project completion. Post construction, grantees will be required to submit annual reports throughout the grant period, describing the overall performance of the project.

Submission of the progress reports and adherence to the due dates established in the grant agreement are material to the successful performance of the grant activities. Failure to meet contractual time frames may result in the termination of the agreement.

## 7.4 Reservation of Rights

IDOT, as the administrator of the Illinois NEVI Program, retains the following rights at its discretion:

- To adjust the number of anticipated awards, either increasing or decreasing them;
- To cancel an award at any point prior to the execution of the grant agreement;

- To gather or obtain data from any relevant source that may enhance the understanding and evaluation of the applications;
- To waive weaknesses, discrepancies, informalities, omissions, or minor irregularities found in an application, and to request and receive clarifications regarding the application; or
- To grant funds to a different applicant if the initially awarded applicant is unable or unwilling to complete the site and achieve commissioned status.

## 8. State Award Agency Contact(s)

Elizabeth Irvin, DOT.DriveElectric@illinois.gov.

## Appendix A: Minimum NEVI Standards and Requirements

The standards and requirements from the NEVI Final Rule ([23 CFR 680](#)) that are applicable to this NOFO are listed below. These requirements must be followed to ensure compliance with the NEVI Final Rule that went into effect starting March 30, 2023. If an application does not propose to meet minimum NEVI standards and requirements, it will not be eligible to be evaluated within the merit-based selection process.

### **§ 680.106 Installation, operation, and maintenance by qualified technicians of electric vehicle charging infrastructure**

#### **Number of charging ports**

- Charging stations must have at least four networks connected DCFC charging ports and be capable of simultaneously charging at least four EVs.

#### **Connector Type**

- All charging connectors must meet applicable industry standards.
- Each DCFC charging port must be capable of charging any CCS-compliant vehicle.
- Each DCFC charging port must have at least one permanently attached CCS Type 1 connector.
- Permanently attached CHAdeMO ([www.chademo.com](http://www.chademo.com)) connectors can be provided using only FY2022 NEVI Funds. Each AC Level 2 charging port must have a permanently attached J1772 connector and must charge any J1772-compliant vehicle.

#### **Power Level**

- DCFC charging ports must support output voltages between 250 volts DC and 920 volts DC.
- DCFCs must have a continuous power delivery rating of at least 150 kilowatt (kW) and supply power according to an EV's power delivery request up to 150 kW, simultaneously from each charging port at a charging station.
- DCFC charging stations may conduct power sharing so long as each charging port continues to meet an EV's request for power up to 150 kW.

## Availability

- Charging stations must be available for use and sited at locations physically accessible to the public 24 hours per day, 7 days per week, year-round.
- This section does not prohibit isolated or temporary interruptions in service or access because of maintenance or repairs or due to the exclusions outlined in [§ 680.116\(b\)\(3\)](#).

## Payment Methods

- Unless charging is permanently provided free of charge to customers, charging stations must:
  - Provide for secure payment methods, accessible to persons with disabilities, which at a minimum shall include a contactless payment method that accepts major debit and credit cards, and
  - either an automated toll-free phone number or a short message/messaging system (SMS) that provides the EV charging customer with the option to initiate a charging session and submit payment;
  - Not require a membership for use;
  - Not delay, limit, or curtail power flow to vehicles based on payment method or membership; and
  - Provide access for users that are limited English proficient and accessibility for people with disabilities. Automated toll-free phone numbers and SMS payment options must clearly identify payment access for these populations.

## Equipment Certification

- All chargers must be certified by an Occupational Safety and Health Administration Nationally Recognized Testing Laboratory.
- DCFC chargers should be certified to the appropriate Underwriters Laboratories (UL) standards for EV charging system equipment.

## Security

- Charging stations must implement physical and cybersecurity strategies consistent with their respective State EV Infrastructure Deployment Plans to ensure charging station operations protect consumer data and protect against the risk of harm to, or disruption of, charging infrastructure and the grid.
- Physical security strategies may include topics such as lighting; siting and station design to ensure visibility from onlookers; driver and vehicle safety; video surveillance; emergency call boxes; fire prevention; charger locks; and strategies to prevent tampering and illegal surveillance of payment devices.
- Cybersecurity strategies may include the following topics: user identity and access management; cryptographic agility and support of multiple PKIs; monitoring and detection; incident prevention and handling; configuration, vulnerability, and software update management; third-party cybersecurity testing and certification; and continuity of operation when communication between the charger and charging network is disrupted.

## Long-term Stewardship

- Charging stations must be maintained in compliance with NEVI requirements for a period of not less than 5 years from the initial date of operation.

### **Qualified Technician**

- The workforce installing, maintaining, and operating chargers must have appropriate licenses, certifications, and training to ensure that the installation and maintenance of chargers is performed safely by a qualified and increasingly diverse workforce of licensed technicians and other laborers. Further:
- Except as provided in [paragraph \(j\)\(2\)](#) of this section, all electricians installing, operating, or maintaining EVSE must meet one of the following requirements:
  - Certification from the EVITP.
  - Graduation or a continuing education certificate from a registered apprenticeship program for electricians that includes charger-specific training and is developed as a part of a national guideline standard approved by the Department of Labor in consultation with the Department of Transportation.
- For projects requiring more than one electrician, at least one electrician must meet the requirements above, and at least one electrician must be enrolled in an electrical registered apprenticeship program.
- All other onsite, non-electrical workers directly involved in the installation, operation, and maintenance of chargers must have graduated from a registered apprenticeship program or have appropriate licenses, certifications, and training as required by the State.

### **Customer Service**

- EV charging customers must have mechanisms to report outages, malfunctions, and other issues with charging infrastructure.
- Charging station operators must enable access to accessible platforms that provide multilingual services.
- Recipients must comply with the American with Disabilities Act of 1990 requirements and multilingual access when creating reporting mechanisms.

### **Customer Data Privacy**

- Charging station operators must collect, process, and retain only that personal information strictly necessary to provide the charging service to a consumer, including information to complete the charging transaction and to provide the location of charging stations to the consumer.
- Chargers and charging networks should be compliant with appropriate Payment Card Industry Data Security Standards (PCI DSS) for the processing, transmission, and storage of cardholder data.
- Charging Station Operators must also take reasonable measures to safeguard consumer data.

### **Use of Program Income**



- Any net income from revenue from the sale, use, lease, or lease renewal of real property acquired shall be used for Title 23, United States Code, eligible projects. Per 2 CFR 200.307, any income or revenue received during the period of performance (POP) shall be deducted from the total allowable costs of Federal funds used on the project to determine the net allowable costs, at the Federal share applied.
- For purposes of program income or revenue earned from the operation of an EV charging station, the State or other direct recipient should ensure that all revenues received from operation of the EV charging facility are used only for:
  - Debt service with respect to the EV charging station project, including funding of reasonable reserves and debt service on refinancing;
  - A reasonable return on investment of any private person financing the EV charging station project, as determined by the State or other direct recipient;
  - Any costs necessary for the improvement and proper operation and maintenance of the EV charging station, including reconstruction, resurfacing, restoration, and rehabilitation;
  - If the EV charging station is subject to a public-private partnership agreement, payments that the party holding the right to the revenues owes to the other party under the public-private partnership agreement; and
  - Any other purpose for which Federal funds may be obligated under Title 23, United States Code.

## **§ 680.108 Interoperability of electric vehicle charging infrastructure**

### **Charger-to-EV communication**

- Chargers must conform to ISO 15118–3 and must have hardware capable of implementing both ISO 15118–2 and ISO 15118–20.
- By February 28, 2024, charger software must conform to ISO 15118–2 and be capable of Plug and Charge.
- Conformance testing for charger software and hardware should follow ISO 15118–4 and ISO 15118–5, respectively.

### **Charger-to-Charger-Network communication**

- Chargers must conform to Open Charge Point Protocol (OCPP) 1.6J or higher. By February 28, 2024, chargers must conform to OCPP 2.0.1.

### **Charging-Network-to-Charging-Network communication**

- By February 28, 2024, charging networks must be capable of communicating with other charging networks in accordance with Open Charge Point Interface (OCPI) 2.2.1.

### **Network switching capability**

- Chargers must be designed to securely switch charging network providers without any changes to hardware.

## **§ 680.110 Traffic control devices or on-premises signs acquired, installed, or operated**

### **Manual on Uniform Traffic Control Devices for Streets and Highways**

- All traffic control devices must comply with [part 655 of this subchapter](#).

### **On-premises signs**

- On-property or on-premises advertising signs must comply with [part 750 of this chapter](#).

## **§ 680.112 Data submittal**

### **Quarterly data submittal**

- Recipients must ensure the following data are submitted on a quarterly basis in a manner prescribed by the FHWA. Any quarterly data made public will be aggregated and anonymized to protect confidential business information.
  - Charging station identifier that the following data can be associated with. This must be the same charging station name or identifier used to identify the charging station in data made available to third parties in § 680.116(c)(1);
  - Charging port identifier. This must be the same charging port identifier used to identify the charging port in data made available to third parties in § 680.116(c)(8)(ii);
  - Charging session start time, end time, and any error codes associated with an unsuccessful charging session by port;
  - Energy (kWh) dispensed to EVs per charging session by port;
  - Peak session power (kW) by port;
  - Payment method associated with each charging session;
  - Charging station port uptime, T\_outage, and T\_excluded calculated in accordance with the equation in § 680.116(b) for each of the previous 3 months;
  - Duration (minutes) of each outage.

### **Annual data submittal**

- Recipients must ensure the following data are submitted on an annual basis, on or before March 1, in a manner prescribed by FHWA. Any annual data made public will be aggregated and anonymized to protect confidential business information.
  - Maintenance and repair cost per charging station for the previous year.
  - For private entities identified in paragraph (c)(1) of this section, identification of and participation in any State or local business opportunity certification programs including but not limited to minority-owned businesses, Veteran-owned businesses, woman-owned businesses, and businesses owned by economically disadvantaged individuals.

### **One-time data submittal**

- Recipients must ensure the following data are collected and submitted once for each charging station, on or before March 1 of each year, in a manner prescribed by the

FHWA. Any one-time data made public will be aggregated and anonymized to protect confidential business information.

- The name and address of the private entity(ies) involved in the operation and maintenance of chargers.
- Distributed energy resource installed capacity, in kW or kWh as appropriate, of asset by type (e.g., stationary battery, solar, etc.) per charging station; and
- Charging station real property acquisition cost, charging equipment acquisition and installation cost, and distributed energy resource acquisition and installation cost; and
- Aggregate grid connection and upgrade costs paid to the electric utility as part of the project, separated into:
  - Total distribution and system costs, such as extensions to overhead/underground lines, and upgrades from single-phase to three-phase lines; and
  - Total service costs, such as the cost of including poles, transformers, meters, and on-service connection equipment.

## **§ 680.114 Charging network connectivity of electric vehicle charging infrastructure**

### **Charger-to-charger-network communication**

- Chargers must communicate with a charging network via a secure communication method. See § 680.108 for more information about OCPP requirements.
- Chargers must have the ability to receive and implement secure, remote software updates and conduct real-time protocol translation, encryption and decryption, authentication, and authorization in their communication with charging networks.
- Charging networks must perform and chargers must support remote charger monitoring, diagnostics, control, and smart charge management.
- Chargers and charging networks must securely measure, communicate, store, and report energy and power dispensed, real-time charging-port status, real-time price to the customer, and historical charging-port uptime.

### **Interoperability**

- See § 680.108 for interoperability requirements.

### **Charging-network-to-charging-network communication**

- A charging network must be capable of communicating with other charging networks to enable an EV driver to use a single method of identification to charge at Charging Stations that are a part of multiple charging networks. See § 680.108 for more information about OCPI requirements.

### **Charging-network-to-grid communication**

- Charging networks must be capable of secure communication with electric utilities, other energy providers, or local energy management systems.

### Disrupted network connectivity

- Chargers must remain functional if communication with the charging network is temporarily disrupted, such that they initiate and complete charging sessions, providing the minimum required power level defined in § 680.106(d).

### **§ 680.116 Information on publicly available electric vehicle charging infrastructure locations, pricing, real time availability, and accessibility through mapping**

#### Communication of price

- The price for charging must be displayed prior to initiating a charging transaction and be based on the price for electricity to charge in \$/kWh. If the price for charging is not currently based on the price for electricity to charge an Electric Vehicle in \$/kWh, the requirements of this subparagraph must be satisfied within one year from February 28, 2023.
- The price for charging displayed and communicated via the charging network must be the real-time price (i.e., price at that moment in time). The price at the start of the session cannot change during the session.
- Price structure including any other fees in addition to the price for electricity to charge must be clearly displayed and explained.

#### Minimum uptime

- States or other direct recipients must ensure that each charging port has an average annual uptime of greater than 97%.
- A charging port is considered “up” when its hardware and software are both online and available for use, or in use, and the charging port successfully dispenses electricity in accordance with requirements for minimum power level (see § 680.106(d)).
- Charging port uptime must be calculated on a monthly basis for the previous twelve months.
- Charging port uptime percentage must be calculated using the following equation:  
$$\mu = ((525,600 - (T_{\text{outage}} - T_{\text{excluded}})) / 525,600) \times 100$$
where:  
 $\mu$  = port uptime percentage,  
 $T_{\text{outage}}$  = total minutes of outage in previous year, and  
 $T_{\text{excluded}}$  = total minutes of outage in previous year caused by the following reasons outside the charging station operator's control, provided that the charging station operator can demonstrate that the charging port would otherwise be operational: electric utility service interruptions, failure to charge or meet the EV charging customer's expectation for power delivery due to the fault of the vehicle, scheduled maintenance, vandalism, or natural disasters. Also excluded are hours outside of the identified hours of operation of the charging station.

#### Third-party data sharing

- Recipients must ensure that the following data fields are made available, free of charge, to third-party software developers, via application programming interface:
  - Unique charging station name or identifier;
  - Address (street address, city, State, and zip code) of the property where the charging station is located;
  - Geographic coordinates in decimal degrees of exact charging station location;
  - Charging station operator name;
  - Charging network provider name;
  - Charging station status (operational, under construction, planned, or decommissioned);
  - Charging station access information:
    - Charging station access type (public or limited to commercial vehicles);
    - Charging station access days/times (hours of operation for the charging station);
  - Charging port information:
    - Number of charging ports;
    - Unique port identifier;
    - Connector types available by port;
    - Charging level by port (DCFC, AC Level 2, etc.);
    - Power delivery rating in kilowatts by port;
    - Accessibility by vehicle with trailer (pull-through stall) by port (yes/no);
    - Real-time status by port in terms defined by Open Charge Point Interface 2.2.1;
  - Pricing and payment information:
    - Pricing structure;
    - Real-time price to charge at each charging port, in terms defined by Open Charge Point Interface 2.2.1; and
    - Payment methods accepted at charging station.

### **§ 680.118 Other Federal requirements**

- All statutory and regulatory requirements that are applicable to funds apportioned under [chapter 1 of Title 23, United States Code](#), and the requirements of [2 CFR part 200](#) apply. This includes the applicable requirements of 23, United States Code, and [Title 23, Code of Federal Regulations](#), such as the applicable Buy America requirements at [23 U.S.C. 313](#) and Build America, Buy America Act (Pub. L. No 117–58, div. G sections 70901–70927).
- As provided at [23 U.S.C. 109\(s\)\(2\)](#), projects to install EV chargers are treated as if the project is located on a Federal-aid highway. As a project located on a Federal-aid highway, [23 U.S.C. 113](#) applies and Davis Bacon Federal wage rate requirements included at [subchapter IV of chapter 31 of Title 40, U.S.C.](#), must be paid for any project funded with NEVI Formula Program funds.

- The American with Disabilities Act of 1990 (ADA), and implementing regulations, apply to EV charging stations by prohibiting discrimination on the basis of disability by public and private entities. EV charging stations must comply with applicable accessibility standards adopted by the Department of Transportation into its ADA regulations ([49 CFR part 37](#)) in 2006, and adopted by the Department of Justice into its ADA regulations ([28 CFR parts 35](#) and [36](#)) in 2010.
- Title VI of the Civil Rights Act of 1964, and implementing regulations, apply to this program to ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
- All applicable requirements of Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), and implementing regulations, apply to this program.
- The Disadvantaged Business Enterprise (DBE) program does not apply to the NEVI Formula Funds; however, the DBE program may apply to other programs apportioned under [chapter 1 of Title 23, United States Code](#).
- The Uniform Relocation Assistance and Real Property Acquisition Act, and implementing regulations, apply to this program by establishing minimum standards for federally funded programs and projects that involve the acquisition of real property (real estate) or the displacement or relocation of persons from their homes, businesses, or farms.
- The National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality's NEPA implementing regulations, and applicable agency NEPA procedures apply to this program by establishing procedural requirements to ensure that Federal agencies consider the consequences of their proposed actions on the human environment and inform the public about their decision making for major Federal actions significantly affecting the quality of the human environment.

## Appendix B: Terms and Definitions

The NOFO includes many standard definitions as defined below. Additional definitions are provided in [23 CFR 680.102](#) of the NEVI Final Rule.

**Applicant** means the eligible entity and/or authorized representative of the eligible entity who has signed and is submitting the signed application response and who will be responsible, if subsequently identified as the grantee, to ensure proper performance of the agreement awarded.

**Fully built-out** refers to the designation given to Alternative Fuel Corridors (AFCs) by the Secretary of Transportation once they that meet the NEVI Standards and Requirements. To meet the requirements AFCs must be equipped with publicly accessibly DC Fast Charging Stations every 50 miles and within 1 travel mile of the interchange, equipped with: (1) minimum four 150kW DC Fast Chargers, (2) ports must be Combined Charging System (CCS1), and (3) capability to simultaneously DC fast charge four EVs at 150kW.

**Finalist** refers to the applicant who was selected for an award during the merit-based review process.

**Grantee** refers to the applicant who, upon awarding of a contract and execution of the Grant Agreement, will be responsible for managing the awarded contract and the party to whom payment will be made.

**Grant Agreement** refers to the fully executed agreement between the grantee and IDOT.

**Grant Period** refers to the length of time during which a Grantee is obligated to provide Operations and Maintenance (O&M) services for the EV site. The Grant Period is 5 years or 60 months.

**Illinois NEVI Program** refers to the program through which IDOT will run a competitive grant process to administer federal NEVI Formula Program funds.

**NEVI Formula Program Guidance** refers to the [National Electric Vehicle Infrastructure Formula Program Guidance \(Update\)](#) issued on June 2, 2023.

**NEVI Final Rule** refers to FHWA's final rule, [23 CFR 680](#), which establishes regulations setting minimum standards and requirements for projects funded under the National Electric Vehicle Infrastructure (NEVI) Formula Program.

**Notice of State Award (NOSA)** specifies the funding terms and specific conditions resulting from the pre-award risk assessments.

**Project** refers to the Electric Vehicle Supply Equipment hardware and all required support systems installed at the applicant site to create a charging station, including the entirety of the eligible costs.

## Appendix C: List of Acronyms

**AFC:** Alternative Fuel Corridor

**BABA:** Build America, Buy America Act

**BIL:** Bipartisan Infrastructure Law

**CCS:** Combined Charging System

**DAC:** Disadvantaged Community

**DCFC:** Direct Current Fast Charger

**EV:** Electric Vehicle

**EV-ChART:** Electric Vehicle Charging Analytics and Reporting Tool

**EVITP:** Electric Vehicle Infrastructure Training Program

**EVSE:** Electric Vehicle Supply Equipment

**EVSP:** Electric Vehicle Service Provider

**FHWA:** Federal Highway Administration

**GATA:** Grant Accountability and Transparency Act

**ICQ:** Internal Controls Questionnaire

**IDOT:** Illinois Department of Transportation

**IJA:** Infrastructure Investment and Jobs Act

**kW:** Kilowatt

**NACS:** North American Charging Standard

**NEVI:** National Electric Vehicle Infrastructure

**NIST:** National Institute of Standards and Technology

**NOFO:** Notice of Funding Opportunity

**NOSA:** Notice of State Award

**O&M:** Operations and Maintenance

**SAM:** System for Award Management

**UEI:** Unique Entity ID

**USDOL:** United States Department of Labor

**USDOT:** United States Department of Transportation

## Appendix D: Certifications and Assurances

### Certifications

1. **Bribery:** Applicant certifies that it has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor made an admission of guilt of such conduct which is a matter of record (30 ILCS 500/50-5).
2. **Bid Rigging:** Applicant certifies that it has not been barred from contracting with a unit of State or local government as a result of a violation of Paragraph 33E-3 or 33E-4 of the Criminal Code of 1961 (720 ILCS 5/33E-3 or 720 ILCS 5/33E-4, respectively).
3. **Debt to State:** Applicant certifies that neither it, nor its affiliate(s), is/are barred from receiving an Award because Applicant, or its affiliate(s), is/are delinquent in the payment of any debt to the State, unless Applicant, or its affiliate(s), has/have entered into a



deferred payment plan to pay off the debt, and Applicant acknowledges Grantor may declare the Agreement void if the certification is false (30 ILCS 500/50-11).

4. **Internal Revenue Code Compliance:** Applicant certifies that it does and will comply with all provisions of the Federal Internal Revenue Code (26 USC 1), the Illinois Revenue Act (35 ILCS 5), and all rules promulgated thereunder, including withholding provisions and timely deposits of employee taxes and unemployment insurance taxes.
5. **Lobbying:** Applicant certifies that it has not paid prior grant funds, or upon receiving an Award and Grant Agreement, will not be paying Grant Funds by or on behalf of Applicant to any person for influencing or attempting to influence an officer or employee of any government agency, a member of Congress or Illinois General Assembly, an officer or employee of Congress or Illinois General Assembly, or an employee of a member of Congress or Illinois General Assembly in connection with the awarding of any agreement, the making of any grant, the making of any loan, the entering into of any cooperative or intergovernmental agreement, or the extension, continuation, renewal, amendment or modification of any agreement, grant, loan or cooperative or intergovernmental agreement. 31 USC 1352. Additionally, Applicant certifies that it has filed the required certification under the Byrd Anti-Lobbying Amendment (31 USC 1352), if applicable.
  - I. **Federal Form LLL:** If any funds, other than Federally appropriated funds, were paid or will be paid to any person for influencing or attempting to influence any of the above persons in connection with a Uniform Application for State Grant Assistance and subsequent Award and Agreement, the undersigned must also complete and submit Federal Form LLL, Disclosure of Lobbying Activities Form, in accordance with its instructions.
  - II. **Lobbying Costs:** Applicant certifies that it is in compliance with the restrictions on lobbying set forth in 2 CFR 200.450. For any Indirect Costs associated with a Grant Agreement pursuant to an Award, total lobbying costs shall be separately identified in the Program Budget, and thereafter treated as other Unallowable Costs.
  - III. **Procurement Lobbying:** Applicant warrants and certifies that it and, to the best of its knowledge, its subgrantees, if Applicant intends to use subgrantees upon issuance of an Award and subsequent Grant Agreement, have complied and will comply with Executive Order No. 1 (2007) (EO 1-2007). EO 1-2007 generally prohibits Grantees and subcontractors from hiring the then-serving Governor's family members to lobby procurement activities of the State, or any other unit of government in Illinois including local governments, if that procurement may result in a contract valued at over \$25,000. This prohibition also applies to hiring for that same purpose any former State employee who had procurement authority at any time during the one-year period preceding the procurement lobbying activity.
  - IV. **Sub-awards:** If Applicant is issued an Award and subsequent, Grant Agreement, and intends to utilize sub-Grantees, Applicant certifies it will include the language of this certification in the award documents for any sub-awards made pursuant to this Award at all tiers. All sub-grantees are also subject to certification and disclosure. Pursuant to Appendix II(I) to 2 CFR 200, Applicant shall forward all disclosures by contractors regarding this certification to Grantor.

6. **Educational Loan:** Applicant certifies that it is not barred from receiving State awards or agreements as a result of default on an educational loan (5 ILCS 385/1 *et seq.*).
7. **International Boycott:** Applicant certifies that neither it nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of the provision of the U.S. Export Administration Act of 1979 (50 USC Appendix 2401 *et seq.* or the regulations of the U.S. Department of Commerce promulgated under that Act (15 CFR 730 through 774).
8. **Dues and Fees to a Discriminatory Club:** Applicant certifies that it is not prohibited from receiving an Award because it pays dues or fees on behalf of its employees or agents or subsidizes or otherwise reimburses them for payment of their dues or fees to any club which unlawfully discriminates (775 ILCS 25/1 *et seq.*).
9. **Pro-Children Act:** Applicant certifies that it is in compliance with the Pro-Children Act of 2001 in that it prohibits smoking in any portion of its facility used for the provision of health, day care, early childhood development services, education or library services to children under the age of eighteen (18), which services are supported by Federal or State government assistance (except such portions of the facilities which are used for inpatient substance abuse treatment) (20 USC 7181-7184).
10. **Drug-Free Work Place:** If Applicant is not an individual, Applicant certifies it will provide a drug free workplace pursuant to the Drug Free Workplace Act. 30 ILCS 580/3. If Applicant is an individual and the Award applied for is valued at more than \$5,000, Applicant certifies it shall not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during the performance of the Agreement. 30 ILCS 580/4. Applicant further certifies that it is in compliance with the government-wide requirements for a drug-free workplace as set forth in 41 USC 8102.
11. **Motor Voter Law:** Applicant certifies that it is in full compliance with the terms and provisions of the National Voter Registration Act of 1993 (52 USC 20501 *et seq.*).
12. **Clean Air Act and Clean Water Act:** Applicant certifies that it is in compliance with all applicable standards, order or regulations issued pursuant to the Clean Air Act (42 USC §7401 *et seq.*) and the Federal Water Pollution Control Act, as amended (33 USC §1251 *et seq.*).
13. **Debarment:** Applicant certifies that it is not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this Agreement by any Federal department or agency (45 CFR 76), or by the State (See 30 ILCS 708/25(6)(G)).
14. **Non-procurement Debarment and Suspension:** Applicant certifies that it is in compliance with Subpart C of 2 CFR 180 as supplemented by 2 CFR 376, Subpart C.
15. **Grant for the Construction of Fixed Works:** Applicant certifies that all Programs for the construction of fixed works which are financed in whole or in part with funds provided by this Notice of Funding Opportunity shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 *et seq.*) unless the provisions of that Act exempt its application. In the construction of the Program, Applicant shall comply with the requirements of the Prevailing Wage Act including, but not limited to, inserting into all contracts for such construction a stipulation to the effect that not less than the prevailing rate of wages as applicable to the Program shall be paid to all laborers, workers, and mechanics performing work under the Award and requiring all bonds of contractors to include a

provision as will guarantee the faithful performance of such prevailing wage clause as provided by contract.

16. **Health Insurance Portability and Accountability Act:** Applicant certifies that it is in compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law No. 104-191, 45 CFR 160, 162 and 164, and the Social Security Act, 42 USC 1320d-2 through 1320d-7, in that it may not use or disclose protected health information other than as permitted or required by law and agrees to use appropriate safeguards to prevent use or disclosure of the protected health information. Applicant shall maintain, for a minimum of six (6) years, all protected health information.
17. **Criminal Convictions:** Applicant certifies that neither it nor any officer, director, partner or other managerial agent of Applicant has been convicted of a felony under the Sarbanes-Oxley Act of 2002, nor a Class 3 or Class 2 felony under Illinois Securities Law of 1953, or that at least five (5) years have passed since the date of the conviction. Applicant further certifies that it is not barred from receiving an Award under 30 ILCS 500/50-10.5 and acknowledges that Grantor shall declare the Award and subsequent Grant Agreement void if this certification is false (30 ILCS 500/50-10.5).
18. **Forced Labor Act:** Applicant certifies that it complies with the State Prohibition of Goods from Forced Labor Act, and certifies that, if it receives an Award and subsequent Grant Agreement, no foreign-made equipment, materials, or supplies furnished to the State under the Agreement have been or will be produced in whole or in part by forced labor, convict labor, or indentured labor under penal sanction (30 ILCS 583).
19. **Illinois Use Tax:** Applicant certifies in accordance with 30 ILCS 500/50-12 that it is not barred from receiving an Award under this Paragraph. Applicant acknowledges that the Award and subsequent Grant Agreement may be declared void if this certification is false.
20. **Environmental Protection Act Violations:** Applicant certifies in accordance with 30 ILCS 500/50-14 that it is not barred from receiving an Award. Grantee acknowledges that the Award and subsequent Grant Agreement may be declared void if this certification is false.
21. **Goods from Child Labor Act:** Applicant certifies that no foreign-made equipment, materials, or supplies furnished to the State under a Grant Agreement executed pursuant to an Award have been or will be produced in whole or in part by the labor of any child under the age of twelve (12) (30 ILCS 584).
22. **Federal Funding Accountability and Transparency Act of 2006:** Applicant certifies that it is in compliance with the terms and requirements of 31 USC 6101. Applicant further certifies it does and will comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006 (P.L. 109-282) (FFATA) with respect to Federal Awards greater than or equal to \$25,000. A FFATA sub-award report must be filed by the end of the month following the month in which the award was made.
23. **Compliance with Uniform Grant Rules (2 CFR 200):** Applicant certifies that it shall adhere to the applicable Uniform Administrative Requirements, Cost Principles, and Audit Requirements, which are published in Title 2, Part 200 of the Code of Federal Regulations, and are incorporated herein by reference. See 44 Ill. Admin. Code 7000.30(b)(1)(A).

24. **Compliance with Non-Discrimination Laws:** Applicant, its employees and subcontractors under subcontract made pursuant to an Award and subsequent Grant Agreement, certifies that it shall comply with all applicable provisions of State and Federal laws and regulations pertaining to nondiscrimination, sexual harassment and equal employment opportunity including, but not limited to, the following laws and regulations and all subsequent amendments thereto:
- I. The Illinois Human Rights Act (775 ILCS 5/1-101 *et seq.*), including, without limitation, 44 Illinois Administrative Code Part 750, which is incorporated herein;
  - II. The Public Works Employment Discrimination Act (775 ILCS 10/1 *et seq.*);
  - III. The United States Civil Rights Act of 1964 (as amended) (42 USC 2000a- and 2000h-6). (See *also* guidelines to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons [Federal Register: February 18, 2002 (Volume 67, Number 13, Pages 2671-2685)]);
  - IV. Section 504 of the Rehabilitation Act of 1973 (29 USC 794);
  - V. The Americans with Disabilities Act of 1990 (42 USC 12101 *et seq.*); and
  - VI. The Age Discrimination Act (42 USC 6101 *et seq.*).

## Assurances

1. **Applicant Standing and Authority:** Applicant assures it is duly organized, validly existing and in good standing under the laws of the State in which it was incorporated or organized and that it has the requisite power and authority to:
  - I. Execute and deliver the Uniform Application for State Grant Assistance on behalf of the Applicant;
  - II. Execute and file the required certifications, assurances, Intergovernmental Agreements and Grant Agreements on behalf of the Applicant binding the Applicant;
  - III. Execute Grant Agreements, Intergovernmental Agreements, and all other documents to be executed by Applicant in connection with the Award and subsequent Agreement with Grantor on behalf of the Applicant.
  - IV. Upon receiving an award and subsequent Intergovernmental Agreement or Grant Agreement, perform its obligations hereunder and to consummate the transactions contemplated within the Agreement.
  - V. If Applicant is organized under the laws of another jurisdiction, Applicant warrants that it is also duly qualified to do business in Illinois and, if applicable, is in good standing with the Illinois Secretary of State.
2. **General Assurances:**
  - I. Applicant assures it will comply with all applicable State, Federal and local laws and State administrative regulations in carrying out any project supported by a State of Illinois Grant Agreement or Intergovernmental Agreement, and any and all license requirements or professional certification provisions.

- II. Applicant agrees that it is under a continuing obligation to comply with the terms and conditions of the Grant Agreement or Intergovernmental Agreement with Grantor issued for its project.
  - III. Where applicable, Applicant assures it will comply with applicable State and Federal statutes, Federal regulations and Grantor administrative rules regarding confidential records or other information obtained by Applicant concerning persons served under an Intergovernmental Agreement or Grant Agreement. The records and information shall be protected by Applicant from unauthorized disclosure.
  - IV. Applicant recognizes that Federal and State laws and regulations may be modified from time to time, and those modifications may affect project implementation. The Applicant understands that Presidential executive orders, executive orders from the Office of the Governor, Federal and State directives, including policies and program guidance may be issued concerning matters affecting the Applicant or the project.
  - V. The Applicant agrees that the most recent Federal and State laws, regulations, and directives will apply to the project, unless Grantor issues a written determination otherwise.
3. **Registration Assurance:** Applicant assures it and any sub-grantees it might intend to utilize shall:
- I. be registered with the Federal SAM;
  - II. be in good standing with the Illinois Secretary of State, if applicable; and
  - III. have a valid DUNS number.

Applicant understands its responsibility to remain current with these registrations and requirements. If Applicant's status with regard to any of these requirements change, or the certifications made in and information provided in the Uniform Application for State Grant Assistance changes, Applicant must notify the Grantor.

4. **Gift Ban Assurance:** Applicant understands it is prohibited from giving gifts to State employees and assures it will not give any gifts pursuant to Officials and Employees Ethics Act (5 ILCS 430/10-10) and Executive Order 15-09.
5. **Freedom of Information Act (FOIA) Assurance:** Applicant assures that upon request, Applicant shall make available to Grantor all documents in its possession that Grantor deems necessary to comply with requests made under the Freedom of Information Act. (5 ILCS 140/7(2))