



INDOT Electric Vehicle Infrastructure Plan

HNTB



Indiana Electric Vehicle Charging Program Draft RFP Comment Summary

Final

August 2023



INDIANA DEPARTMENT OF
TRANSPORTATION



Table 1. List of Comments from Public Comment Period (June 5, 2023 to June 18, 2023)

Comment ID	Organization Type	Date Received	Theme
A01	EVSE Provider/Operator	06/13/2023	Schedule, Justice40 Scoring, Inclusion of DBEs and WOSBs
A02	EVSE Provider/Operator	06/15/2023	Equity, XBEs other than DBEs
A03	EVSE Provider/Operator	06/15/2023	Equity in Scoring Rubric, Upgrading Existing EVSE, Engagement as eligible expense
A04	EVSE Provider/Operator	06/16/2023	Schedule, Upgrading Existing EVSE, Site Selection, Funding Disbursement, Competitive Criteria, Proposed and Operational Costs
A05	EVSE Provider/Operator	06/16/2023	Reward efficient use of public funding, Screen for Applicant Execution Ability, Upgrading Existing EVSE, Reward Documented Milestones in Scoring Rubric, Future proofing elements and M/HDVS in Scoring Rubric
A06	Disadvantaged, Underserved or Underrepresented Community Group	06/16/2023	Justice40 benefits, EV education and awareness, site selection and disadvantaged communities
A07	EVSE Provider/Operator	06/16/2023	Schedule, Site Identification Information, Candidate Site Locations
A08	EVSE Provider/Operator	06/16/2023	Prequalification, Candidate Site Location Distance Measurement
A09	Utility Company	06/16/2023	Utility Improvement, Utility Questionnaire, Transformer Capacity, Renewable Energy Usage

Public Comment A01

1. **Justice40:**

- a. What are the requirements for the mandatory Justice40 Initiative for INDOT NEVI RFP projects? On the website I didn't find any points in the scoring for the proposed RFP for complying with the mandatory Justice40 Initiative.
 - b. Will INDOT assign points in the NEVI RFP for Primes complying with the mandatory Justice40 Initiative?
 - c. Is INDOT NEVI Primes required under the Bipartisan Infrastructure Law and the Justice40 Initiative to perform the following in underserved communities in order to legally eligible to receive 80% reimbursement?
 - Stakeholder outreach.
 - On the job training program.
 - Apprenticeship program.
 - Install 40% of all Level 3 charging stations in underserved communities.
2. **Schedule:** Will DOT consider allowing for a minimum of 60 days to respond to RFP? The current response window is very small for a large undertaking as the DOT NEVI Projects.
3. **DBEs and WOSBs:** Is DOT assigning any points for the inclusion of DBEs and WOSB subcontractors for Primes responding to DOT NEVI Projects?

Response to Public Comment A01

1. **Justice40:** The NEVI program is a part of the Federal Justice40 initiative that requires 40% of project benefits go to Disadvantaged Communities (DACs). As NEVI is a Justice40 program, INDOT must comply with the Justice40 initiative. To understand an applicant's contribution to the Justice40 initiative, INDOT has included an extensive Equity section within the NOFO application and scoring rubric. Within this section, applicants are asked to describe:

- How the project's technical approach helps to achieve INDOT's equity goals
- Their engagement of XBEs during the application process
- The use of XBEs and small and local businesses on the application team
- Their technical approach to workforce development and training
- Their commitment and approach to community education and EVSE awareness

INDOT will evaluate and score these responses as a part of the overall site scoring process. All applicant responses to these topics are considered commitments which will be included in any contracts between INDOT and site awardees. Given that these responses are commitments, the responses and subsequent contract awards will allow INDOT to understand its compliance with Justice40 throughout the lifespan of the NEVI program. (It should be noted that the Joint Office of Energy and Transportation does not require 40% of chargers to be installed in DAC communities). INDOT wishes to reaffirm its commitment to meeting these Justice40 requirements through its site selection and project management practices.

2. **Schedule:** Regarding the schedule of responses to the NOFO, INDOT has increased the time for applicants to prepare responses from 42 to 83 days (from 8/31/2023 to 11/22/2023) between the release of the NOFO and the date that applications will be due. This is double the timeframe of 42 days that was published in the draft RFP. We believe that this should provide sufficient time for applicants to perform their site-related due diligence and to coordinate with utility companies.
3. **DBEs and WOSBs:** INDOT's final NOFO encourages prime proposers to work with registered XBEs within the application process. As noted above, INDOT will score applicants on their outreach with XBEs and the inclusion of XBEs on the applicant team.

The state of Indiana defines an XBE to include:

- Minority-Owned Business Enterprises
- Women-Owned Business Enterprises
- Veteran-Owned Business Enterprises



- Other disadvantaged local business enterprises

INDOT will recognize XBEs certified by INDOT, the Indiana Department of Administration (IDOA), city / county / municipal governments within the state, transit agencies in the state, etc. This additionally includes any certifications that may be held in states with which INDOT recognizes XBE certification (i.e., Kentucky Transportation Cabinet). This also includes private 3rd party certifications and other Federal certifications including Mid-States Minority Supplier Diversity Council and the United States Small Business Administration HubZone program. For more information on the XBEs currently certified by INDOT, please visit: <https://www.in.gov/indot/doing-business-with-indot/equity-initiative-services/DBE-directory/>.

[1] [National Electric Vehicle Infrastructure Formula Program Guidance \(Update\)](#). June 2, 2023. Page 7.

Public Comment A02

EVSE Provider/Operator appreciates the opportunity to comment on the INDOT draft NEVI RFP. We commend the State of Indiana on a rigorous but streamlined approach that will encourage broad participation from industry and site hosts to deliver attractive sites around the state. In particular, we appreciate the detailed scoring rubric that enables respondents to tailor proposals to Indiana's desired attributes, as well as the approach to utility coordination.

Our main comment on the proposal relates to the equity section. We encourage INDOT to recognize that DBE is only one certification applying to equity impacts of investments and typically applies to contractors who perform highway construction work for transportation agencies. Installation of electric vehicle charging stations involves different contractors and skillsets than typical highway work, and many firms, including Electrify America, have robust supplier diversity programs that seek to promote disadvantaged businesses that may not



historically be involved in the DBE program or may be in trades not generally applicable to highway work.

We encourage INDOT to expand this section to allow a broader range of responses on organizational approaches to supplier diversity and impact on small businesses, women- and minority-owned businesses, veteran-owned businesses, and other categories of suppliers that may not specifically be covered by DBE.

We appreciate your consideration and look forward to supporting the State of Indiana in its electrification goals.

Response to Public Comment A02

INDOT's final NOFO encourages prime applicants to work with registered XBEs within the application process. The state of Indiana defines an XBE to include:

- Minority-Owned Business Enterprises
- Women-Owned Business Enterprises
- Veteran-Owned Business Enterprises
- Other disadvantaged local business enterprises

INDOT will recognize XBEs certified by INDOT, the Indiana Department of Administration (IDOA), city / county / municipal governments within the state, transit agencies in the state, etc. This additionally includes any certifications that may be held in states with which INDOT recognizes XBE certification (i.e., Kentucky Transportation Cabinet). This also includes private 3rd party certifications and other Federal certifications including Mid-States Minority Supplier Diversity Council and the United States Small Business Administration HubZone program. For more information on the XBEs currently certified by INDOT, please visit:

<https://www.in.gov/indot/doing-business-with-indot/equity-initiative-services/DBE-directory/>.

Public Comment A03

1. **Scoring Rubric:** We would like clarification on the scoring rubric.
 - a. Section 2.3.3.5. Equity, Workforce, and Economic Development states that points will be awarded to respondents who identify “additional metrics” (11-20) and “new metrics” (21-30) that INDOT may or may not include in future competitive funding opportunities. If additional and new metrics are identified by a respondent and INDOT chooses to implement them for this funding round, are we correct to understand that INDOT would apply these metrics only to the proposer provided that they are awarded funding?
 - b. How will INDOT award points in Section 2.3.3.5? Will it be only for identified metrics that INDOT chooses and commits to using in the future?
 - c. Also, regarding Section 2.3.3.5, are there metrics associated with the approach to EVSE education and awareness for which proposers can earn points?
2. **Existing Charging Infrastructure:** We would like clarification on Section 2.3.3.3: What is the reason for giving preferential treatment to locations with existing charging infrastructure? We are concerned that this could lead to unintended consequences including stifling market development, un-level playing field (giving companies who have already created infrastructure an advantage) and limiting awards given to support disadvantaged areas that do not currently have DC Fast Chargers.
3. **Engagement and Communication Costs:** We would like clarification on Section 4.1.2: Engagement and communication costs are listed as eligible expenses. Does this include Education and Outreach and Workforce Development?

Response to Public Comment A03

1. Scoring Rubric:

- a. If an applicant proposes new metrics that INDOT adopts, they would apply to the entire program and all selected sites.
 - b. In the revised rubric for equity, workforce, and economic development, INDOT will apply both qualitative and quantitative scores. Qualitative scores include how the applicant describes incorporating equity into their technical approach (including for example, new metrics that are proposed) and how their approach develops the local workforce and engages with the local community during the project. Quantitative scores include items like effort to engage with XBEs during the procurement process and participation from XBEs on the team.
 - c. Please see the response to the previous question. The scoring rubric for equity, workforce and economic development has been revised to include both qualitative and quantitative items that will be scored. This includes an applicant's approach to equity, engagement of XBEs during procurement, participation of XBEs on the applicant's team, applicant's approach to workforce development, and an applicant's commitment and approach to EVSE education and awareness. The rubric provides examples for each of these items, so applicants understand how to maximize the points awarded.
2. **Existing Charging Infrastructure:** INDOT has identified 5 of the total 86 candidate sites as being potentially NEVI-compliant. INDOT also believes that the opportunity to upgrade existing sites ensures that the state is not doubling efforts and investments in the Indiana EV network. Therefore, other sites that have existing non-NEVI compliant charging infrastructure will also be eligible to apply for funding.
3. **Engagement and Communication Costs:** Yes, INDOT considers that outreach for education and workforce development is an eligible expense.

Public Comment A04

1. **Schedule:** EVSE Provider/Operator recommends INDOT provide sufficient time (at least 90 days) from the time of grant release to ensure enough time to coordinate with the utility and perform the necessary site level due diligence. There is a significant amount of work and planning that goes into developing a proposal, and three (3) months is typical based on other states that have launched or are preparing to launch RFPs. By providing 90 days or more to respond, INDOT will see more comprehensive and high-quality proposals. EVSE Provider/Operator has identified a highly attractive set of site hosts that are interested in applying to INDOT's NEVI Program.

EVSE Provider/Operator recognizes INDOT's due diligence in providing GIS tools and utility contacts in the draft RFP. These tools will assist proposers in engaging the correct contact for each utility and expedite the utility coordination process. Coordination with the electric utility is a critical part of any DC fast charging project and will be particularly important for NEVI projects but without adequate time to prepare our grant applications and associated utility service requests, these opportunities may be challenging to submit for INDOT's evaluation in the forty-two (42) days allotted.

2. **Upgrading Existing EVSE:** Indiana's current network is insufficient to support the more than 10,360 EVs on the road today [1] as well as support cross state travel. With just thirty (30) NEVI compliant DCFC locations, the interests of State economic development as well as public safety policy require that new publicly available charging sites be distributed statewide. Upgrading DCFC at existing sites and not concentrating on increasing statewide distribution will inadequately address the needs of growing electric vehicle (EV) populations, counter range anxiety concerns, and accelerate EV adoption in Indiana.

Additionally given the demands of NEVI compliant DCFC, it is likely more economical to build new rather than upgrade existing sites given current infrastructure will require significant re-design of utility, secondary electrical, and charging equipment replacement.

Developing new sites presents an opportunity for building additional charging infrastructure that is designed and built for the future while maintaining previously deployed capital investment and assets. EVSE Provider/Operator recommends that interchanges with NEVI compliant infrastructure should be removed from eligible site locations.

- 3. Site Selection:** EVSE Provider/Operator recognizes and supports INDOT's due diligence in providing GIS tools with a feedback survey allowing potential site hosts to suggest alternate interchanges above or below the eligible interchange if there is an optimal site at the next interchange. While EVSE Provider/Operator is supportive of prescriptive exits to ensure a fully built out state network of public infrastructure, we suggest that INDOT broaden the eligibility to include multiple exits along the AFC within a given target community to expand eligibility of likely site hosts. It is understood that eligible sites need to be no further than one mile from a designated AFC, but the proposed measurement criteria to determine eligibility is too restrictive. Other states such as Michigan, Pennsylvania, and Maine have taken a corridor approach.

As an example, PennDOT's Application evaluation process included the evaluation of Candidate Site to include other Candidate Sites within a Corridor Group and then ranked Candidate Sites by overall score. By reviewing sites within a corridor based on overall score, the highest-ranking Candidate Sites for each Corridor Group was then considered for a preliminary award based on overall corridor priorities and as funding allowed.

- 4. Funding Disbursement:** EVSE Provider/Operator recommends INDOT consider dispersing a higher portion of grant funding during the pre-construction and construction phases of the project, as this will provide awardees with more liquidity to incur costs, get paid for work, and pay subcontractors as work is complete. Withholding 35% of the final EVSE capital costs and dispersing it quarterly over five (5) years will put a strain on private investment and hinder the development of the competitive EV charging market. In our experience with Volkswagen Appendix D and California Clean Transportation grants, most states apply a

retention of 0%, 5% or 10%. In Pennsylvania, PennDOT set a 10% retainage threshold for NEVI. Throughout the course of the required 5-year operations and maintenance period, PennDOT shall disburse one-fifth of retainage each year, upon approval of the Grantee's annual report and quarterly reports for the previous year.

5. **Competitive Criteria:** EVSE Provider/Operator suggests INDOT consider the following recommendations on the Competitive Criteria:
 - a. EVSE Provider/Operator is supportive of heavily scoring applicants based on their experience, qualifications, and technical approach for installing DC fast charging projects of similar NEVI scope. Reliability of EV charging infrastructure is critical and a top priority for successful disbursement of federal funding. EVSE Provider/Operator strongly recommends INDOT add both Electric Vehicle Supply Equipment (EVSE) Hardware) and Charging Network Provider (Software) experience and qualifications to the teaming evaluation. In the recent Michigan Request for Qualifications, Proposer Teams were required to demonstrate proof that the proposed EVSE equipment will meet NEVI requirements as well as include proof of at least ten (10) 50 kW or higher EVSE stations were commissioned in the past two years that are still operational. They also required Network Providers to have a minimum of two years of experience collecting, protecting, sharing, and reporting EV charger data. Requiring EVSE Hardware and Charging Network Provider experience and qualifications will ensure that stations installed with federal funding will be reliable and viable for many years to come and not become stranded assets.
 - b. EVSE Provider/Operator recommends INDOT increase the scoring weight for providing driver amenities or indicate that on-site and nearby amenities are the most weighted criteria within the Site Design and Amenities consideration. DC fast charging projects should be accessible 24/7 at locations that provide drivers with access to amenities and activities while charging. Providing drivers with on-site or nearby amenities not only provides for a great driver experience, which helps promote adoption but also supports



those businesses by driving economic activity and establishing a strong business case for DCFC.

- c. EVSE Provider/Operator recommends decreasing the weight for the future proofing strategies proposed - sustainable technology and upgrading transformers. On-site solar and battery and storage technologies may in some cases help to mitigate demand charges and further reduce greenhouse gas emissions, but many site locations may not have the available real estate to accommodate them. Also, the additional cost of on-site energy storage can be significant and may make projects cost prohibitive for station owners and decrease the number of sites that the state can solicit. We believe sites should be designed with 350kW future charging speeds in mind which could incorporate the following future proofing considerations:

- i. Sites should have sufficient real estate or additional parking spaces to increase the number of DCFC in the future;
- ii. If pouring a new pad for the utility transformer, the pad should be upsized to support a larger transformer in the future;
- iii. Spare conduit should be housed in a pull box located near the switchboard; and
- iv. Upsize the switchboard so that it can accommodate additional DCFC.

Additionally, we recommend applicants have the flexibility to propose the configuration that is best suited for the site and not penalize proposed projects not proposing to have all charging units designed for a pull through style installation. While this configuration may allow larger vehicles or vehicles towing trailers to charge, it may not be feasible or may be cost prohibitive at a site that may otherwise be a great site for DCFC. Penalizing non-pull through charging stations will work against Indiana's goals for an affordable solution.



- d. EVSE Provider/Operator discourages INDOT from providing additional scoring for Level 1 and/or Level 2 chargers under the Site Readiness criteria. Level 1 chargers and Level 2 chargers do not have a strong use case at sites like these where parking spaces would be better reserved for future DCFC expansion when required through increased utilization.
 - e. With the proposed timeline, EVSE Provider/Operator discourages scoring based on extensive and/or quality coordination with and commitment from utility provider and the expectation that permits have been identified and obtained. EVSE Provider/Operator recommends INDOT provides sufficient time (at least 90 days) from the time of RFP release to due date to ensure sufficient time to coordinate with the utility and authority having jurisdiction (AHJ) for permitting. As the number of utility service and permit requests increases due to responses to the RFP, it is possible that utilities and local permit-approving authorities become overwhelmed and extend approval time even farther. Without adequate time to prepare our customers and their grant applications, these opportunities may be challenging to submit for INDOTs evaluation.
6. **Proposed Costs:** Transparency and equity are both important issues in the Design-Build-Operate-Maintain contracts and promote continued competition among competent project design and construction firms to complete on an equal basis. EVSE Provider/Operator suggests that INDOT require proposed costs as well as equipment cut sheets to be included as part of the RFP response. This will ensure that proposers have done due diligence and have developed project budgets and assessed costs that can be claimed under the grant and provided as match. It will also provide transparency and assurance that applicants are in compliance with minimum NEVI requirements as outlined in Appendix B.
7. **Operational Costs:** We recommend that INDOT consider providing an operational cost reimbursement (i.e., demand charge relief) in the early years of operation for utility locations with low forecasted utilization and high demand charges. Such reimbursement could be in place until new utility tariffs or programs specific to EV charging are developed.



Operational costs are considered eligible in the final rules, and we recommend INDOT leverage available funding for demand charge relief in areas with a challenging return on investment.

[1] Based on data derived by the National Renewable Energy Laboratory with data from Experian Information Solutions from 2021.

Response to Public Comment A04

1. **Schedule:** Regarding the schedule of responses to the NOFO, INDOT has increased the time for applicants to prepare responses from 42 to 83 days (from 8/31/2023 to 11/22/2023) between the release of the NOFO and the date that applications will be due. This is double the timeframe of 42 days that was published in the draft RFP. We believe that this should provide sufficient time for applicants to perform their site-related due diligence and to coordinate with utility companies.
2. **Upgrading Existing EVSE:** INDOT has identified 5 of the total 86 candidate sites as being potentially NEVI-compliant. INDOT also believes that the opportunity to upgrade other existing sites ensures that the state is not doubling efforts and investments in the Indiana EV network. Therefore, other sites that have existing non-NEVI compliant charging infrastructure will also be eligible to apply for funding.
3. **Site Selection:** Since the release of the draft RFP, INDOT has increased the number of candidate sites from 80 to 86 sites and has adjusted the location of specific candidate sites following public feedback. INDOT believes that these adjustments provide additional site options both to potential charging providers and the communities that they will serve.
4. **Funding Disbursement:** Upon review of EVSE Provider/Operator's and other comments received on the draft RFP, INDOT has increased funding during the construction phase by 5% in the milestone payment schedule.
5. **Competitive Criteria:**

- a. The NOFO application asks applicants to include details on past EVSE projects including reference contacts. These may be used to confirm the quality of past EVSE projects, but INDOT has refrained from requiring proof of operations to not limit firms that may be newer to the market from applying for funding.
- b. The scoring rubric has been updated to differentiate between “on-site” and “nearby” amenities while allowing INDOT the flexibility to appropriately score a wide range of proposed amenity combinations.
- c. The scoring rubric has been adjusted to reflect both innovative technologies as well as scalable infrastructure measures. INDOT maintains that points should be awarded if an applicant proposes future proofing for technologies such as solar power and battery storage. Site development with these technologies in mind will increase the resiliency and longevity of charging stations. INDOT has added scoring for scalable infrastructure measures into the rubric. Such measures may include upsizing conduit and transformer pads, as well as other measures that the applicant may wish to propose.
- d. Regarding innovative technologies and infrastructure measures, the NOFO allows the applicant to provide a free response. This permits flexibility for applicants to make their case for technologies and infrastructure that the applicant believes to be advantageous. The purpose of this is to avoid stifling innovation or limiting the applicants to a set of pre-determined answers.
- e. INDOT maintains that additional points should be provided to applicants that can provide access to medium-duty and heavy-duty vehicles (M/HDVS). INDOT does not require that all proposed chargers in an application be M/HDV accessible but will provide greater points for a greater number of M/HDV-accessible chargers.
- f. As NEVI funds may be used for either construction of new charging stations or upgrades of existing stations, INDOT will include the presence of existing



chargers in its rubric. The rubric does reflect that maximum points are received for existing DCFC infrastructure, with fewer points given to L1 or L2.

- g. Since the release of the draft RFP, INDOT has increased the response timeframe from 42 days to 83 days to maximize the opportunities for collaboration among all potential team members and site stakeholders.
6. **Proposed Costs:** Regarding proposed costs, INDOT is committed to a quality-based selection process. As detailed in the NOFO (Section 3.2.3), INDOT will develop a short-list of applicants for candidate sites based on the scoring rubric. Following development of this short-list, INDOT will request estimated costs to finalize selection of contingent awards. Following the site selection process, INDOT will make contingent contract awards and then final contract awards (NOFO Section 4.2). During these discussions, if INDOT and the awardee are unable to agree on a reasonable cost, INDOT has reserved the right to withdraw its selection. Please see Sections 3.2.3 and 4.2 of the NOFO for full details. Finally, to ensure compliance with minimum NEVI requirements and contract requirements, INDOT will use the milestone payment schedule outlined in Table 7. Requirements will be verified before awardees receive the next notice to proceed (NTP) to the next project phase.
7. **Operational Costs:** Due to the uncertainty in whether these charges will be enacted and if so, how much they will amount to, INDOT has not made them an eligible expense for the operations and maintenance phase of the project.

Public Comment A05

1. **Reward efficient use of public funding:** EVSE Provider/Operator has installed several hundred sites throughout the US with a partial cost share from public funders. EVSE Provider/Operator believes the most effective way to efficiently allocate federal dollars

is to score applications by cost effectiveness, not cost share, specifically by weighing applications based on their requested \$/kW. This approach was employed in the North Carolina Department of Environmental Quality's DC Fast Charging program[3] and California's recent Light Duty Electric Vehicle Infrastructure program[4]. It incentivizes applicants to minimize costs and maximize private investment, allowing public dollars to stretch farther. An evaluation based on \$ per kW also recognizes that different locations will require different amounts of federal support to be economically viable. EVSE Provider/Operator recommends that this metric be incorporated into a competitive solicitation process within the quantifiable (and transparent) scoring rubric IN DOT has currently proposed.

- 2. Screen for Applicant Execution Ability and incorporate mechanisms in case of non-performance:** Applicant attrition is likely, especially for a program like NEVI which will attract many new entrants to the space. To minimize fall-out and ensure timeline construction, states should require multiple milestones for a project to keep applicants on track for delivery and enable the recovery of funding from projects that do not proceed and do so at some point before the 12 or 24 months post-award which is often stated as the project completion deadline. Utah is contemplating a similar approach in its NEVI solicitation in that, in the event a contracted entity fails to satisfy the terms of their agreement, the solicitation process will be reopened for those specific unmet geographical areas and the NEVI funding application program will be readvertised for those areas.

In addition, we recommend screening for applicant execution ability to prioritize applications that are more likely to come to fruition. Holding multiple rounds of funding per year instead of one large solicitation helps address this issue by providing opportunities for new applications to use unspent funds that may be carried over from sites that fell out due to attrition.

In Appendix C, under the "Prime Proposer's Financial Viability" section, IN DOT is requesting a "credit rating" or a "letter from a lending bank". We note that it is often costly and infeasible for companies as many are unable to incur the annual cost required by a credit rating agency, and some companies do not borrow money. We recommend instead a much simpler step which is for the state and IN DOT to consider milestone payments or to pay the applicant upon site completion. It's a simple measure which mitigates the financial risk to the state in case of non-delivery.

- Existing EV charging infrastructure at a given site is not the appropriate metric to measure "Site Readiness":** In Section 2.3.3.3 "Site Readiness" (pdf p. 22) of the Draft RFP, IN DOT is looking to award additional "site readiness" points if there is existing L1, L2 or DCFC infrastructure already at the proposed site. We respectfully suggest that the presence of L1, L2 or DCFC has little to no impact on site readiness or site costs. Sites with single 50 kW or 100 kW units are often connected to existing host power, with no dedicated service or transformer, whereas a NEVI compliant 600 kW station will require dedicated service. Permits for L2 or smaller DCFC sites will also not transfer to a NEVI compliant build. Older hardware which doesn't meet NEVI standard may need to be removed to accommodate the new equipment, and therefore a site with existing equipment may take more time and capital than a site without existing charging equipment.

In addition, in Appendix C, under "Site Readiness" (pdf p. 10), IN DOT is providing additional points in its scoring rubric if there is "EVSE in Inventory and Ready to Install". With Buy America requirements from the federal government, the domestic supply chain must significantly scale to meet NEVI deployments. Given this new reality, EVSE Provider/Operator respectfully recommends asking applicants about committed purchase orders that would guarantee a company's inventory as soon as the charging equipment becomes available.

4. **Reward documented milestones in the scoring rubric:** In Appendix C, Site Readiness (pdf p. 10), ON DOT is looking to score Site Readiness based on the status of the site host agreement. The options shown in the draft scoring rubric are as follows: 1) No commitment or agreement 2) Verbal or soft agreement 3) Signed site host agreement. EVSE Provider/Operator contends that the rubric should reward only documented agreements submitted along with the site (for example, a letter of support detailing the level of agreement or of negotiation remaining to be completed). Soft or verbal agreements are not strong enough to be enforced. With documentation of the level of agreement or negotiation, the evaluators would be able to make their own evaluations within the scoring range.
5. **Consider additional low-cost elements of futureproofing in the scoring rubric:** In Appendix C, under “Future Proofing” (pdf o. 11), EVSE Provider/Operator respectfully suggests that IN DOT’s future proofing rubric is limited and would benefit from the consideration of additional low-cost elements, such as conduit upsizing, and additional transformer pad space. These are among the lowest-cost, highest-return elements for futureproofing, which also provide for limited risk that the future proofing assets will depreciate past the point of usefulness, before they are employed.
6. **Avoid establishing specific requirements related to accommodating commercial vehicles or trailers at this time:** IN DOT’s draft RFP 2.3.3.4 “Future Proofing” (pdf p. 16) considers whether “accommodations been made for to enable trailers, medium duty and/or heavy-duty vehicles”. First, while we understand the intent of this requirement, EVSE Provider/Operator recommends either encouraging pull-through spaces by awarding additional points for this feature or carrying out a separate solicitation specifically for medium duty and/or heavy-duty (MHD) vehicles use cases.

A requirement for one or more pull through spaces at each location would limit the types of sites that can be developed, exclude certain types of site hosts from participation, and could dramatically increase installation and operating expenses. A

retail or restaurant parking lot may not have the space to easily accommodate a pull-through site design. Further, adapting the lot to such a site design may be prohibitively expensive. Whether pull-through spaces are required or encouraged through the scoring rubric, we recommend being prepared to offer funding support to cover the additional expenses associated with this feature.

If INDOT is looking to encourage additional points in its scoring rubric for the MHD use case, we contend that the current framing of the scoring rubric would benefit from more specificity and it should look to evaluate whether the site layout itself is compatible with MHD vehicles (for example, a pull-through arrangement, or MHD vehicle compatible stall dimensions without protrusion into the path of travel). Otherwise, applicants may simply affirm that they would not turn away MHD customers.

7. **Clarify the scoring rubric to appropriately reflect the power requirement sought:** In Appendix C, Site Information (pdf p. 7) IN DOT asks, "How much power will be available per port for the concurrent, continuous charging at the proposed charging site?". Given the three choices shown in the next column of the scoring rubric (ranging from 600 kW to 1000+ kW), we believe IN DOT is looking for the total site-level power rather than "per port". Clarification would be helpful for applicants to understand what IN DOT is looking to reward in this category.

[1] <https://www.EVSE Provider/Operator.com/press-release/EVSE Provider/Operator-announces-EVSE Provider/Operator-extend-project-to-deploy-high-power-fast-charging-access-to-drivers-across-the-us/>

[3] <https://deq.nc.gov/media/27237/download?attachment>

[4] <https://www.californiavwtrust.org/wp-content/uploads/CA-VW-Trust-QA-72021.pdf>

Response to Public Comment A05

1. **Reward efficient use of public funding:** INDOT is committed to a quality-based selection process that includes cost as well as other scoring factors (provided in the scoring

rubric). INDOT is including cost share within the rubric as 5% of the total possible points to encourage applicants to go beyond the minimum required cost share.

Furthermore, INDOT is committed to ensuring reasonable project costs for awarded contracts. As detailed in the NOFO (Section 3.2.3), INDOT will develop a short-list of applicants for candidate sites based on the scoring rubric. Following development of this short-list, INDOT will request estimated costs to finalize contingent awards. Following the site selection process, INDOT will make contingent contract awards and then final contract awards (NOFO Section 4.2). During these discussions, if INDOT and the awardee are unable to agree on a reasonable cost, INDOT has reserved the right to withdraw its selection. Please see Sections 3.2.3 and 4.2 of the NOFO for full details.

2. Screen for Applicant Execution Ability and incorporate mechanisms in case of non-performance:

- a. To ensure compliance with minimum NEVI requirements and contract requirements, INDOT will use the milestone payment schedule outlined in Table 7 of the NOFO. Requirements will be verified before awardees receive the next notice to proceed (NTP) to the next project phase. The use of milestone payments and multiple NTPs provides INDOT and awardees opportunities to evaluate performance throughout the course of the project and take appropriate action if an awardee is unable to meet contractual obligations. In addition, while the final NOFO has removed the requirement of prequalification with INDOT, bonding requirements for performance, payment, and maintenance have been added to minimize risk to INDOT if milestones aren't met and a project must be cancelled.
- b. The final NOFO has removed the requirement of prequalification with INDOT, however, in its place bonding requirements for performance, payment and

maintenance were added to minimize risk to INDOT if milestones aren't met and a project must be cancelled.

The qualifications and experience section of the application will also gauge each applicant's ability to execute a potential contract. This includes the applicant's years of experience, number of EVSE clients, and references to past projects or similar projects. References may be used to confirm the quality of past EVSE projects. However, INDOT has refrained from requiring proof of operations to not overly restrict or limit firms that may be newer to the market from applying for funding. Additionally, applicants must attach a surety letter demonstrating performance and payment bond limits with their applications.

INDOT recognizes that not all sites may be awarded as a result of this NOFO and that not all awards may come to fruition. For this reason, INDOT is not limiting itself to a single NOFO. The need for future NOFOs will be determined after the final award process for this procurement.

- c. INDOT recognizes that not all applicants may be able to provide a credit rating or a letter from a lending bank. For this reason, INDOT has updated the NOFO to request a surety letter demonstrating performance and payment bond limits (or the ability to secure them) with each application. Also, INDOT has added the cost to obtain the necessary bonding requirements (if selected) as an eligible expense. Additionally, INDOT has committed to utilizing milestone payments as noted above.
- 3. Existing EV charging infrastructure at a given site is not the appropriate metric to measure "Site Readiness":**
- a. As NEVI funds may be used for either construction of new charging stations or upgrades of existing stations, INDOT will include the presence of existing chargers in its rubric. The rubric does reflect that maximum points are received

for existing DCFC infrastructure, with fewer points given to L1 or L2. It should be noted that the rubric also scores proposed sites on the level of utility upgrades that will be necessary, and the scoring weight for utility upgrades is double the weight of existing chargers.

- b. INDOT has added committed EVSE purchase orders to the scoring rubric.
4. **Reward documented milestones in the scoring rubric:** INDOT is aware that finding and contracting with potential site hosts can be an extended process. For this reason, INDOT wishes to provide a range of responses for applicants to demonstrate their due diligence in finding site hosts. INDOT does recognize that verbal/soft agreements are not strong enough to be enforced. For this reason, the NEVI Team has added a “draft agreement or signed letter of commitment from the site host” to the list of options on the scoring rubric.
5. **Consider additional low-cost elements of futureproofing in the scoring rubric:** The scoring rubric has been adjusted to reflect both innovative technologies as well as scalable infrastructure measures. INDOT maintains that points should be awarded if an applicant proposes future proofing for technologies such as solar power and battery storage. Site development with these technologies in mind will increase the resiliency and longevity of charging stations. INDOT has added scoring for scalable infrastructure measures into the rubric. Such measures may include upsizing conduit and transformer pads, as well as other measures that the applicant may wish to propose.

Regarding innovative technologies and infrastructure measures, the NOFO allows the applicant to provide a free response. This permits flexibility for applicants to make their case for technologies and infrastructure that the applicant believes to be advantageous.

6. **Avoid establishing specific requirements related to accommodating commercial vehicles or trailers at this time:** While INDOT does not require that applicants accommodate medium-duty and heavy-duty vehicles (M/HDVS), INDOT maintains that



additional points should be provided to applicants that can provide access to M/HDVs. A greater number of points will be awarded for a greater number of M/HDV-accessible chargers. Furthermore, INDOT is committed to doing its due diligence to ensure that site schematics confirm an applicant's commitment to providing M/HDV accessible chargers.

7. **Clarify the scoring rubric to appropriately reflect the power requirement sought:**

INDOT has updated the application and scoring rubric to clarify this wording. INDOT is seeking the total power available for concurrent, continuous charging at the site.

Public Comment A06

1. **COMMENT:** The Joint Office of Energy and Transportation (Joint Office) and the Federal Highway Administration (FHWA) have explicitly stated that the NEVI Program is a Justice40 covered program [1]. In light of that fact, INDOT will need to identify in their Updated State EV Deployment Plans how they are adhering to the Justice40 Initiative [2]. This Initiative provides that least 40% of the NEVI Program benefits must reach disadvantaged communities [3]. And, in order to help States identify NEVI Program benefits that align with Justice40, the Joint Office and the FHWA outlined NEVI Program benefits in their [NEVI Formula Program Q&A](#) published earlier this year.

RECOMMENDATION: While the equity, workforce, and economic development section requires Proposers to identify their approach to ensuring EV charging stations are sited within 40 miles of a disadvantaged community, the Disadvantaged, Underserved or Underrepresented Community Group would encourage INDOT to prioritize Proposals that site EV charging stations within disadvantaged communities and ensure that at least 40% of EV charging stations statewide are sited in disadvantaged communities. Given the Joint Office and the FHWA included increasing parity in clean energy technology access and adoption as part of the Justice40 benefits, adopting this

recommendation will help INDOT demonstrate in their Updated State EV Deployment Plan (due by August 1 for Federal fiscal year 2024 [4]) that they are adhering to the Justice40 Initiative.

In addition to Indiana's EV Equity Outcomes, INDOT also requires Proposer's to provide their approach to several other potential metrics under consideration for future plan updates.

2. **COMMENT:** As a "potential metric under consideration for future updates," Proposers are required to discuss their approach to EV education and awareness. While education is an important component of community engagement, this specific metric does not require Proposers to speak to additional community engagement opportunities that give disadvantaged communities a platform to ask questions about EV charging site locations and provide feedback or voice concerns. Nor does this metric imply that there will be transparency around the process for taking community feedback and factoring it into the final Proposal. While this type of community engagement may have been alluded to in the introductory paragraph explaining the equity, workforce, and economic development section of the site proposal, as the Draft RFP is currently written, it's ambiguous as to whether Proposers "may" provide their approach to community engagement or "shall" provide their approach to community engagement.

RECOMMENDATION: Considering INDOT will be required to speak to the State's community engagement efforts in their Community Engagement Outcomes Report, as well as document their efforts to ensure that the third-party entities that the State has contracted with to install EV charging infrastructure will engage communities in the Updated State EV Deployment Plan [5], the Disadvantaged, Underserved or Underrepresented Community Group would highly recommend INDOT require Proposers to address their approach to community engagement in their Site Proposals. Further, INDOT should give more points to Proposals that provide intentional and

meaningful community engagement approaches that include accountability structures to ensure the Proposers are accountable to the communities where they are siting EV charging stations.

- COMMENT:** As previously mentioned, the Joint Office and the FHWA identified the Justice40 benefits of the NEVI Program in their [Q&A](#) published earlier this year. The list of benefits included increasing the clean energy job pipeline, job training, and enterprise creation in disadvantaged communities [6]. While the Draft RFP requires Proposers to discuss their approach to clean energy job pipeline and training opportunities and their overall approach to workforce development, it does not require Proposers to discuss how they will ensure members of disadvantaged communities are benefitting from these clean energy and job pipeline opportunities.

RECOMMENDATION: The Draft RFP should require Proposers to speak to how their Proposals will expand and invest in clean energy job pipeline and training opportunities, such as apprenticeship programs and pre-apprenticeship programs, for disadvantaged community members. Amending the Draft RFP to reflect this recommendation will ensure INDOT can better articulate to the Joint Office and FHWA how this State Plan is meeting the Justice40 metrics and creating economic wealth building opportunities for underserved Hoosiers.

- COMMENT:** In addition to clean energy job pipelines and training opportunities, the Draft RFP also requires Proposers to address their approach to contracting with Disadvantaged Business Enterprises (DBE). While the NEVI Program Guidance does not include a minimum requirement for DBE participation, the Joint Office and FHWA does identify enterprise creation in disadvantaged communities as a Justice40 benefit of the NEVI Program [7]. And, per the Justice40 Initiative, at least 40% of NEVI Program benefits must reach disadvantaged communities.

RECOMMENDATION: INDOT should prioritize Proposals that contract with DBEs and Minority Business Enterprises (MBE's). Considering INDOT will be required to demonstrate compliance with the Justice40 initiative throughout their NEVI Program implementation and enterprise creation in disadvantaged communities is a Justice40 benefit, making this amendment to the Draft RFP will bolster INDOT's Update EV Deployment Plan.

5. **COMMENT:** The Equity, Workforce, and Economic Development section of the RFP requires Proposers to provide their "site selection criteria which avoid or minimize residential areas, helping to mitigate potential gentrification-induced displacement due to new charging infrastructure." [8] With that being said, it's important to understand that disadvantaged communities are defined using census tracts that are inclusive of residential areas. Disadvantaged communities can be defined as such due, in part, to the community having a vulnerable population and those with energy and health disparities [9] so excluding residential areas from site consideration could mean excluding disadvantaged communities.

This language—"site selection criteria which avoid or minimize residential areas, helping to mitigate potential gentrification-induced displacement due to new charging infrastructure"—as currently written, implies that Proposals should avoid investing in EV charging stations in residential areas in or near disadvantaged communities because it could potentially result in increasing the local economy and displacing community members. To be clear: displacing community members is a valid concern; however, intentionally disinvesting in disadvantaged communities will not remedy the "unequal distribution of benefits from the transportation and energy systems" that have "prevented disadvantaged communities and minority owned...businesses from realizing equitable benefits from these systems." [10] The Joint Office and FHWA stated in their [Updated NEVI Program Guidance](#) that it was because of this unequal distribution of benefits that "the NEVI Formula Program will emphasize equity considerations at its

inception to avoid exacerbating existing disparities in the transportation system and to develop a convenient, affordable, reliable, and equitable charging experience for all users.” [11] Encouraging Proposals to disinvest in disadvantaged communities is in direct contradiction to the prioritization of equity within the NEVI Formula Program Guidance and the Justice40 Initiative and is an invitation for Proposals to violate Title VI of the Civil Rights Act.

RECOMMENDATION: The Disadvantaged, Underserved or Underrepresented Community Group demands that this metric be removed from the Draft RFP and instead require Proposals to identify how they’ll engage with disadvantaged communities to ensure community named and supported anti-displacement policies are built into the Proposal. Further, the Draft RFP should prioritize Proposals that ensure Proposers collaborate with disadvantaged community members to identify displacement concerns and create collaborative anti-displacement policies that are incorporated into the final Proposal and done so in a manner that ensures the disadvantaged community members can hold the Proposer accountable. Prioritizing Proposals with these measures will ensure the Draft RFP mitigates potential gentrification-induced displacement due to new charging infrastructure and helps alleviate the unequal distribution of benefits that the NEVI Program is designed to address.

[1] Joint Office of Energy and Transportation and the Federal Highway Administration, [National Electric Vehicle Infrastructure Formula Program Q&A](#), Equity Considerations, 12, (2023).

[2] Federal Highway Administration, [National Electric Vehicle Infrastructure Formula Program—Program Guidance](#), Public Engagement, 17 (2023).

[3] Id.

[4] U.S. Department of Transportation and the Federal Highway Administration, [Memorandum RE: INFORMATION: National Electric Vehicle Infrastructure Formula Program Guidance](#) (Update) (2023).

[5] Federal Highway Administration, [National Electric Vehicle Infrastructure Formula Program—Program Guidance](#), Public Engagement, 13 (2023).

[6] Joint Office of Energy and Transportation and the Federal Highway Administration, [National Electric Vehicle Infrastructure Formula Program Q&A](#), Equity Considerations, 13, (2023).

[7] Joint Office of Energy and Transportation and the Federal Highway Administration, [National Electric Vehicle Infrastructure Formula Program Q&A](#), Equity Considerations, 13, (2023).

[8] Indiana Department of Transportation, [Indiana Electric Vehicle Charging Infrastructure Program—Request for Proposal](#), 17 (2023).



[9] Joint Office of Energy and Transportation and the Federal Highway Administration, [Electric Vehicle Charging Justice40 Map Tool](https://www.anl.gov/esia/electric-vehicle-charging-equity-considerations) (June 15, 7:16 PM) <https://www.anl.gov/esia/electric-vehicle-charging-equity-considerations>.

[10] Federal Highway Administration, [National Electric Vehicle Infrastructure Formula Program—Program Guidance](#), Public Engagement, 16 (2023).

[11] Id.

Response to Public Comment A06

1. As NEVI is a Federal Justice40 program, INDOT is committed to ensuring that 40% of the NEVI program's benefits go to federally-recognized Disadvantaged Communities (DACs). It should be noted that the Federal Joint Office of Energy and Transportation does not require 40% of chargers to be installed in DAC communities [1]. To understand a site's contribution to the Justice40 initiative, INDOT has included an extensive Equity, Workforce, and Economic Development section within the NOFO and scoring rubric. Within this section, applicants are asked to describe:

- How the project's technical approach helps to achieve INDOT's equity goals
- Their engagement of XBEs during the application process
- The use of XBEs and small and local businesses on the application team
- Their technical approach to workforce development and training
- Their commitment and approach to community education and EVSE awareness

All applicant responses to these topics are considered commitments which will be included in any contracts between INDOT and selected applicants. Given that these responses are commitments, the responses and subsequent contract awards will allow INDOT to track and ensure its compliance with Justice40 throughout the lifespan of the NEVI program.

2. INDOT's revised response template includes a revised and extended list of questions with respect to equity, workforce development, and community engagement when compared to the draft template. While it is possible for respondents to leave these

questions unanswered, a lack of response will result in zero points per equity item in the scoring rubric (see Appendix F, Section 2.4). A lack of response to these items would cost applicants up to 60 points. Furthermore, to score highly across these items, applicants must demonstrate a robust commitment to INDOT's equity goals and community engagement. INDOT believes that the number of points available within this section is an appropriate incentive to encourage applications that show a high commitment to equity, workforce, and economic development.

Any proposed outreach and community engagement or education and awareness in an application will be a requirement in the contracts for selected applicants. The Federal NEVI requirements also require quarterly reporting on community engagement activities and outcomes. This requirement will flow down to the contracts with selected applicants; INDOT will also summarize activity across the program in the annual updates to the EV Infrastructure Implementation.

3. Within the response template (Appendix D), INDOT asks applicants to describe their approach to workforce development and training as well as their approach to expanding the clean energy job pipeline and supporting XBEs and small/local businesses. As with all applicant responses to the NOFO, INDOT considers responses to these questions to be minimum binding commitments in an awarded contract. Therefore, all awardees will be contractually required to meet or surpass all responses within their application.
4. The revised scoring rubric includes points for applicants that have engaged with XBEs throughout the application process as well as applications that include XBEs, small, and/or local businesses on the applicant team. These are quantitative scores that reflect the number of engagement events and meetings between XBEs and applicants as well as the percentage of the project scope that will be covered by XBEs and/or small/local businesses. INDOT will also consider a variety of third party certifications. This may include INDOT, Indiana Department of Administration (IDOA), city / county / municipal



governments within the state, transit agencies in the state, as well as any certifications that may be held in states with which INDOT recognizes XBE certification (i.e., Kentucky Transportation Cabinet). This also includes private 3rd party certifications and other Federal certifications including Mid-States Minority Supplier Diversity Council and the United States Small Business Administration HubZone program.

5. As a result of public comment, INDOT has removed this language from the revised NOFO. INDOT notes that the original language was included in the draft RFP to reflect recommendations in the Federal NEVI Program Guidance [1]. However, INDOT understands public concerns regarding this language and has accordingly removed it.

[1] [National Electric Vehicle Infrastructure Formula Program Guidance \(Update\)](#), June 2, 2023. Page 7.

Public Comment A07

1. **Timeline:** The timeline mentioned on page ii of the draft RFP indicates a mere 41-day window for submitting applications. However, we respectfully contend that this timeframe is insufficient for several critical tasks, including identifying prospective sites within identified gaps, the process of obtaining letters of intent from prospective landlords, coordinating with utility companies to assess power availability, and prequalifying vendors. Effective real estate coordination typically necessitates a minimum of 60 days.

The real estate site selection process for an EVSE Provider/Operator involves several critical steps that demand a considerable amount of time:

1. We must identify potential site candidates in the 80 eligible interchanges. In some cases, these sites may be occupied, having existing uses, and only a portion of the parcel will be used for the EV charging facility. In others, we will identify

vacant property. Much of this is done via web mapping resources (Google and Bing Maps) and real estate broker website and databases (LoopNet, REgrid, etc.).

2. Ownership name and contact information of candidate sites must be confirmed and then initial contact is made with the owner and or their agent or broker.
3. Ownership interest and commitment must be obtained. To obtain owner interest, they often want more information on the Operator, the NEVI Plan, and the RFP process before they provide their commitment. Written commitment of the Operator in the NEVI RFP response is only then obtained from the property owner through the execution of a letter of support. Even though the letter of support is non-binding, owners will want to review and often consult their legal representation before executing.
4. Due diligence is needed, which includes land use/zoning confirmation, FEMA flood zone identification, Disadvantaged Community identification, and a site sketch creation (i.e., EV charging facility fitment and application requirement).

Given that this phase solely pertains to the selection process and excludes electric utility company engagement, construction timeline and costings review, and application completion/submission, we respectfully suggest extending the RFP duration to 90 days which is the average other states have provided. This timeframe will allow for the generation of valid, eligible, committed, and constructable EV charging facilities that will adequately meet the needs of the RFP and Indiana.

2. **Site Identification Information:**

- a. **AADT:** In Appendix A of the draft RFP, the site list contains a column stating the AADT at each exit/interchange. How is the AADT calculated for this table? Using the INDOT traffic database website (<https://indot.public.ms2soft.com/tcds/tsearch.asp?loc=Indot&mod>), we are getting very different AADT numbers for some of the exits. For example, at I-69:



Exit 87, as far as we can tell the traffic counts at this interchange are much lower than 172,000.

- b. **Interchanges:** Appendix A of the draft RFP lists the 80 interchanges where candidate sites could be located. In Table 8 of the Indiana Electric Vehicle Infrastructure Deployment Plan identifies NEVI-compliant stations at these interchanges (I-65: Exits 4 and 172, I-69: Exit 202, I-70: Exit 11, and I-465: Exit 52). Several of these same interchanges (I-65: Exits 172, I-70: Exit 11, and I-465: Exit 52) are listed in Appendix A. Are these interchanges available if a NEVI compliant EV station is located at this exit?
- c. **Volkswagen Sites:** Table 7 of the Indiana Electric Vehicle Infrastructure Deployment Plan identifies the Volkswagen Master EV Fast Charge List. When will INDOT identify the specific existing or planned VW locations that may be upgraded to an EV charging facility to meet minimum NEVI Formula Program standard?
- d. **Corridor Groups:** Appendix A of the draft RFP lists the 80 interchanges where candidate sites could be located, and the INDOT NEVI plan online map mentions a minimum of 44 charging locations are needed to fill the 50-mile gaps. Will the final RFP break down and identify the EV corridors into spaced groups, ensuring that candidates will meet the NEVI 50-mile separation requirement?

Response to Public Comment A07

1. **Timeline:** Regarding the schedule of responses to the NOFO, INDOT has increased the time for applicants to prepare responses from 42 to 83 days (from 8/31/2023 to 11/22/2023) between the release of the NOFO and the date that applications will be due. This is double the timeframe of 42 days that was published in the draft RFP. We believe that this should provide sufficient time for applicants to perform their site-related due diligence and to coordinate with site hosts and utility companies.

2. Site Identification Information:

- a. **AADT:** The AADT was derived from the INDOT Traffic Count Database System (TCDS) database using Traffic Viewer option and taking the 2-way AADT for the year 2022 at the nearest highway location to a candidate charging station. AADT was used in the initial prioritization of candidate sites. The list was then further refined with public comments and a geographic assessment of gap areas to ensure fifty-mile gaps were filled. To simplify the presentation of the candidate sites, the AADT was removed from the table.
- b. **Interchanges:** INDOT has updated Appendix A based on public comments received through the RFP and public meeting process. This has increased the number of candidate sites from 80 to 86 sites and has also adjusted the location of specific candidate sites. INDOT has included interchanges that currently have potentially NEVI-compliant sites within a mile of the interchange. These amount to five total interchanges. These interchanges are available for either new applicants or for hosts of potentially compliant stations to demonstrate that they meet NEVI-eligibility.
- c. **Volkswagen Sites:** INDOT has identified in Appendix A, interchanges that have existing/planned VW stations within a mile of the interchange. To obtain any NEVI funds for station upgrades, these VW stations must apply to the NEVI program in the same manner as any other station. INDOT will not specify or direct these project teams to upgrade.
- d. **Corridor Groups:** The final NOFO does not combine stations into groups or corridors. INDOT will score each station independently. Please see Sections 3.2 and 4.2 for further information on the evaluation approach and award process.

Public Comment A08

1. **Prequalification:** Regarding section 2.3.1.3, Prequalification of the Draft RFP, please clarify whether turnkey vendors would need to pre-qualify as a consultant, a contractor, or both. Turnkey vendors provide a variety of services to a project including but not limited to, procuring the electric vehicle supply equipment (EVSE), design and engineering, construction and installation, and operations and maintenance. Further clarification would be appreciated for the following: Do a turnkey vendor's EVSE provider, software provider, and other subcontractors need to pre-qualify, or is prequalification only required for the turnkey vendor?
2. **One-mile driving distance:** Regarding section 2.3.3.1, Site Information, please clarify how proposers should measure the distance from the AFC exit to the proposed site. Section 2.2.3.1 states that measurements for the proposed site "shall be measured from the entrance driveway of the charging site to the center point of the farthest highway ramp intersection." However, in Appendix F – Scoring Rubric Detail, the description for the measurement scoring criteria states, "Interchange access (distance to nearest exit ramp)." Please clarify whether distance will be measured from the farthest or nearest exit ramp.

Response to Public Comment A08

1. **Prequalification:** The revised NOFO has removed the requirement of prequalification with INDOT. The revised NOFO includes demonstration of financial viability in an applicant's Part A (see NOFO section 2.3.1.3). The NOFO requires applicants to provide a letter or documentation from a surety demonstrating the ability to provide performance, payment, and maintenance bonds, as well as any limits on the surety bonds that exist. This requirement was added to minimize risk to INDOT if milestones aren't met and a project must be cancelled. The cost to secure these bonds annually has been included as an eligible cost in the program.

2. **One-mile driving distance:** INDOT has developed an online map that includes eligible one-mile distances from candidate sites. It measures the 1-mile driving distance from the terminus of the exit ramp at the interchange. The map can be found here:
<https://experience.arcgis.com/experience/20dc3f35bc0642458e5cf31deb2aa8ab/?view=s=Splash-2---background>

Public Comment A09

1. **Utility Improvements:** In the Appendix C: Site Readiness section, I suggest to modify the available answers to the utility improvements question to eliminate interpretation. Suggested improvements to the available answers are:
 - No improvement
 - Minor upgrades such as upgrades to secondary transformer and secondary line
 - Medium upgrade such as upgrading less than 2 miles of overhead or less than 1 mile of underground distribution mainline, extending primary voltage to site, installing capacitor bank
 - Major upgrades such as upgrades to the transmission system, adding and/or upgrading substation transformer, upgrading more than 2 miles of overhead or more than 1 mile of underground distribution mainline
 - Utility service not available, requiring significant infrastructure development
2. **Utility Questionnaire:** Is there a utility questionnaire that sites should be completing? One is referenced in Appendix C: Site Readiness section as an answer to the question 'What is the extent of current extent of coordination with electric utility provider?'. If there is, include a link or reference to the location of the questionnaire.
3. **Transformer Capacity:** In the Appendix C: Future Proofing section, I suggest to modify the selections for how much capacity is proposed or available to add specificity to answers. Suggested improvements to the available answers are:



- 0-299 kW
 - 300-599 kW
 - 600-899 kW
 - >900 kW
 - Unknown or transformer design yet to be completed
4. **Renewable Energy Usage:** In the Appendix C: Future Proofing section, I suggest to modify the selections for the extent of renewable energy usage to power the site to create bands for answers. Suggested improvements to the available answers are:
- 0-25%
 - 26-50%
 - 51-75%
 - 76-100%
 - Other (please specify)

Response to Public Comment A09

1. **Utility Improvements:** INDOT has revised the utility improvements section to be a free-response format. This allows applicants the freedom to provide nuanced answers and demonstrate that they have done their due diligence regarding investigating the necessary utility improvements.
2. **Utility Questionnaire:** The utility questionnaire is provided in Appendix G – Utility Contact Information and Questionnaire.
3. **Transformer Capacity:** INDOT has revised the transformer capacity multiple choice ranges as suggested.
4. **Renewable Energy Usage:** INDOT has revised the renewable energy multiple choice ranges as suggested in the comment.