NATIONAL ELECTRIC VEHICLE INFRASTRUCTURE (NEVI)

NOTICE OF FUNDING OPPORTUNITY AND REQUEST FOR PROPOSALS

Opportunity Open: October 20, 2026 – October 20, 2027

Application Reviews:

Monthly Evaluation Deadlines:
December 2026 – November 2027

Information:

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1. Introduction

1.1. Background

The Bipartisan Infrastructure Law (BIL), also known as the Infrastructure Investment and Jobs Act (IIJA), established the National Electric Vehicle Infrastructure (NEVI) Formula Program[1] to support deployment of a reliable, convenient, affordable, and equitable national electric vehicle charging network. The NEVI Formula Program provides formula funding to states for the strategic deployment of direct current fast charging (DCFC) infrastructure along designated Alternative Fuel Corridors (AFCs).

Washington State was allocated approximately $71 million in NEVI Formula Program funding across federal fiscal years 2022–2026. The purpose of this NOFO/RFP is to inform prospective Grantees of available Federal Highway Administration (FHWA) NEVI funds to acquire, construct, install, operate, and maintain EV charging stations. WSDOT is responsible for receiving and disbursing FHWA funds and acknowledges that changes in federal funding, policy and/or guidance may change the availability of project funding. As of publication of this Notice of Funding Opportunity/Request for Proposals (NOFO/RFP), the Washington State Department of Transportation (WSDOT) has obligated the federal funding necessary to advance the program objectives described in this solicitation.

WSDOT administers its allotment of NEVI formula funds through a competitive grant program. NEVI Round 1 awards were announced in January 2026 and are published on WSDOT's NEVI Grant website at https://wsdot.wa.gov/business-wsdot/grants/zero-emission-vehicle-grants/national-electric-vehicle-infrastructure-nevi-grant.

1.2. Program overview

Through this Round 2 NOFO/RFP, WSDOT seeks applications for the deployment of NEVI-compliant electric vehicle supply equipment (EVSE) along designated Alternative Fuel Corridors in Washington State. Funding is intended to reduce the cost of acquiring, installing, operating, and maintaining publicly accessible DC fast charging infrastructure.

[1] Bipartisan Infrastructure Law - National Electric Vehicle Infrastructure (NEVI) Formula Program Fact Sheet | Federal Highway Administration

To maximize the impact of NEVI Formula Program funding, WSDOT has established a framework that prioritizes investments based on corridor needs, traffic volumes, existing charging infrastructure, and statewide network development objectives, and project readiness.

WSDOT may award funding to commercially and technically viable projects on best-value criteria that includes both price and qualitative considerations (2 CFR 636) 2.

WSDOT will award approximately **$69 million** (all remaining funding) in Round 2 NEVI. Federal formula funds will cover up to 80% of eligible project costs, and Applicants will be required to commit to a financial contribution (minimum project match) of either 20% for passenger vehicle charging projects or 30% of eligible project costs for medium- and heavy-duty charging projects 3.

Successful applicants will be responsible for the acquisition, installation, operation, and maintenance of awarded charging infrastructure for the duration specified in the grant agreement.

1.3. WSDOT's policy objectives

WSDOT's goal is to deploy the State's NEVI formula funds to strategically support the development of reliable, convenient, affordable, and equitable Direct Current fast charging (DCFC) along 2,235 miles of Alternative Fuel Corridors identified in this NOFO. Round 2 funding is intended to support the following objectives:

1. Expand charging coverage along rural and underserved Alternative Fuel Corridors.
2. Address the remaining charging gaps on major interstate and highway corridors.
3. Support medium- and heavy-duty vehicle (MHDV) electrification through deployment of higher-capacity charging infrastructure.

1.4. WSDOT's policy priority - fast-track EVSE deployment

WSDOT recognizes the current headwinds within the EV industry, with challenging economic conditions and Program requirements. The agency also wishes to reiterate our commitment to partnering with Grantees who are ready to immediately proceed with program operations under the current environment and deploy EVSE to execute Program objectives.

[2] https://www.ecfr.gov/current/title-23/chapter-I/subchapter-G/part-636

Accordingly, under this NOFO/RFP 2, WSDOT will focus exclusively on review -- and potential award – of proposals that we deem have the capacity to meet "**shovel-ready**" project standards. Proposals that pass non-technical and technical responsiveness checks (see Section 7.1) are considered candidates for full evaluation and potential grant award.

A "shovel-ready" is a proxy showing of project readiness where:

1. proposals demonstrate fast-track operational readiness, with the capacity to meet or exceed agency requirements (below) and;

2. Applicants can execute a Grant Agreement within thirty (30) days of Notice of Proposed Award (NOPA).

In addition to the Federal program requirements listed in Section 2, WSDOT:

A. Prefers Applicant bids on multiple segments and/or AFC corridors.

B. Requires Applicants who are Site Hosts or who are able to secure Sites – within thirty (30) days of WSDOT's conditional Notice of Proposed Award (NOPA) -- for dedicated Program use and to provide signed Site Host Agreements supplemented by WSDOT Site Certification (Exhibit H), demonstrating that the sites are available for the entire length of the five-year Grant Agreement for the purpose of installing, operating, and maintaining an EV charging station, in accordance with 23 CFR 680 and all applicable state and federal laws. All successful Applicants/Grantees will be required to sign the Site Certification Form.

C. Requires Applicant Sites that require minimal environmental review or that will likely qualify for NEPA categorical exemption.

D. Requires Applicants who can make strong showing of utility coordination to confirm existing capacity or timely utility upgrades will be made for proposed sites.

E. Prefers projects that exceed the NEVI minimum requirement of four (4) ports capable of charging at 150kW simultaneously at each light duty EV charging site by including more ports, higher power chargers, pull-through stall designs that serve light duty vehicles with trailers, future proofing to include conduit and wiring for additional

chargers, and including NACS (SAE J3400) dual-port charging equipment in addition to the required Combo Charging System (CCS) connectors.[3]

F. For High-Traffic/Freight corridor proposals, prefers projects that are located at an existing truck stop or where real property has already been acquired, exceeds the NEVI minimum site capacity of 2.5 MW, includes one or more Megawatt Charging System (MCS) charger(s), and demonstrates project readiness. "Shovel-ready" projects have a faster timeline/completion date and with the needed electrical capacity already available at the site. Preferred equipment includes NACS (SAE J3400) dual-port charging equipment in addition to the required Combo Charging System (CCS) connectors.[4]

G. Prefers all sites to have convenient access to amenities at each charging station (e.g., restrooms, covered awnings, food and other retail, emergency call boxes and video surveillance, 110/120-volt outlets for electric micromobility).

H. Prefers Applicants who can make additional financial contribution (Grantee Project Match) of 30% or more to eligible project costs for Rural/Low-Traffic AFC proposals – and 40% or more to eligible project costs for High-Traffic/Freight AFC proposals-- that are authorized via an executed Agreement with WSDOT. If two applications are co-ranked as the top bids, WSDOT will award the proposed Site to the Applicant who has committed to the higher Grantee Project Match.

In addition, Applicants should note WSDOT business and financial requirements, where the agency:

I. Requires Applicants who can demonstrate experience working on Federal, State,

[3] Future Proofing: An approach to preparing an EV station for future upgrades or expansion beyond the minimum (NEVI project) requirement of conduit and wiring (see Appendix A – NEVI Definitions and acronyms)

county, municipal or other local government construction (or EV construction) projects;

J. Requires Applicants to commit to meeting Surety Bond requirements (see Section 6.1)

K. Requires Applicants to commit to financial contribution to the project (see Section 5.2 - Project Match)

L. Requires Applicants to have company financial statements audited to Generally Accepted Accounting Principles (GAAP) rules and/or standards.

To meet WSDOT's fast-track requirements, Applicants are strongly encouraged to review the reference documents provided in this NOFO prior to submitting their application. Applicants are also strongly encouraged to review program objectives, capacity requirements, funding ranges and anticipated number of NEVI awards by segment prior to submitting their application

Table 1: Eligible corridors – program objectives and capacity requirements

Eligible Alternative Fuel Corridors (AFCs)				
Alternative Fuel Corridor (AFC)	AFC Segment	Highway Mileage	Rural and Low-Traffic AFCs	High-Traffic/Freight Corridor AFC
			Program Objective: Eliminate charging gaps in DCFC network.	Program Objective: Accommodate medium and heavy-duty vehicle (MHDV) traffic.
			Minimum port capacity required: 150 kW	Minimum port capacity required: 250 kW
			Total site capacity required: 600 kW	Total site capacity required: 2.5 MW
U.S. Highways				
US 2	Everett to Idaho Border	324	☑	
US 12	Aberdeen to Idaho Border	325	☑	
US 97	Oregon Border to Canadian Border	238	☑	
US 101	Olympic Peninsula	364	☑	
US 195	Spokane to Idaho Border	93	☑	
US 395	Spokane to Canadian Border	186	☑	
Interstate Highways				
I-5	Vancouver to Canadian Border	275		☑
I-82	Ellensburg to Oregon Border	132	☑	
I-90	Seattle to Idaho Border	298	☑	

Table 2: Distance and capacity requirements, funding ranges

Rural and Low-Traffic Alternative Fuel Corridors (AFCs) Funding Range = $35M-$50M					
Alternative Fuel Corridor	**Highway Segment**	**Highway Mileage**	**Distance Requirement**	**Port and Minimum Capacity Requirement**	**Maximum Funding per port**
U.S. Highways			45-55 miles apart Up to 5 miles from highway exit	Four (4) ports, each capable of simultaneous charging at 150 kW Minimum port capacity: 600 kW Total site capacity required: 600 kW	* Subject to confirmation by WSDOT that all costs included in Exhibit D (Cost Proposal Form) are eligible per 23 CFR 680. * All awards will be made according to best value criteria as per 23 CFR 636. * Minimum Grantee Project Match: 20% of project costs
US 2	Everett to Idaho Border	324			
US 12	Aberdeen to Idaho Border	325			
US 97	Oregon to Canadian Border	238			
US 101	Olympic Peninsula	364			
US 195	Spokane to Idaho Border	93			
US 395	Spokane to Canadian Border	186			
Interstate Highways					
I-82	Ellensburg to Oregon Border	132			
I-90	Seattle to Idaho Border	298			
High-Traffic/Freight Corridor Funding Range = $20M-$35M					
Alternative Fuel Corridor	**Highway Segment**	**Highway Mileage**	**Distance Requirement**	**Port and Minimum Capacity Requirement**	**Maximum Funding per port:**
I-5	Blaine to Vancouver	275	50-75 miles apart Up to 3 miles from highway exit	Eight (8) ports, four (4) of which must be capable of simultaneous charging at 350 kW Minimum port capacity required: 250 kW Total site capacity required: 2.5 MW + Pull-through design	* Subject to confirmation by WSDOT that all costs included in Exhibit D (Cost Proposal Form) are eligible per 23 CFR 680. * All awards will be made according to best value criteria, as per 23 CFR 636. * Minimum Grantee Project Match: 30% of project costs

Revised NEVI requirements for station distances

In August 2025, the Federal Highway Administration (FHWA) issued NEVI Formula Program Interim Final Guidance, where it relaxed the requirement for NEVI stations to be located 50 miles apart and within one (1) mile of the corridor[5]. In the Guidance, the FHWA allows States to "…consider the appropriate distance between stations to allow for reasonable travel and certainty that charging will be available to corridor travelers when needed. States may consider grid capacity, geography, cost, and other location- or context-specific constraints."

Building on the Interim guidance, WSDOT adopted the AFC approach to provide Applicants with more flexibility on where to locate the charging stations to best serve EV drivers.

[5] (Chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.fhwa.dot.gov/environment/nevi/resources/NEVI-Interim-Final-Program-Guidance-8-11-2025.pdf)

Eligible alternative fuel corridors.

Rural and Low-Traffic alternative fuel corridors Projects designed to serve rural and low-traffic AFCs are dedicated to serving light-duty charging vehicles and represent the top funding priority for Round 2 of NEVI. These projects will ensure:

- delivery of a seamless, cohesive, and fully integrated public charging network throughout the state, particularly in areas where the private sector is unlikely to invest in EV charging without incentives; and
- elimination of charging gaps in the network classified as Corridor-Pending status in EV-MAP (EV Mapping and Planning Tool Application | EV Mapping and Planning Tool Site) that need to be completed and reinforced to provide EV drivers with more charging opportunities.

These low-traffic corridors and charging gaps represent the most prominent infrastructure challenges to our DCFC network and need the most funding to provide EV drivers charging certainty. Accordingly, WSDOT provides the most flexibility in distance requirements and maximum project funding, to attract investment to proposals targeted to these AFCs. Sites must consist of a minimum of four (4) ports capable of continuous charging at 150kW simultaneously. Sites on low-traffic and rural AFCs may be located 45-55 (forty-five to fifty-five) miles apart and shall not be located more than **five (5) miles from an AFC highway exit**. These AFCs Corridors include US Highways US 2, US 12, US 97, US 101, US 195, US 395, I-82, and I-90 (see AFC Map). WSDOT is not seeking applications for I-205, I-405, I-705, as there is sufficient EVSE along these highway extensions.

High-Traffic/Freight corridor – I-5

NEVI funding is available to support the transition to electric medium- and heavy-duty vehicles (MHDVs) by deploying ultra-fast charging infrastructure along the Interstate 5 (I-5) corridor. I-5 is a high-traffic Alternative Fuel Corridor (AFC) designated as Corridor-Ready in WSDOT's EV Mapping and Planning Tool (EV-MAP) and identified by the National Freight Network as a priority corridor for goods movement. WSDOT plans to award funding for approximately six (6) sites along the I-5 corridor. Sites on the I-5 high-traffic/freight corridor may be located 50-75 (fifty to seventy-five) miles apart and shall not be located more than **three (3) miles from this AFC highway exit**.

Washington's highways are critical to moving freight locally, regionally, nationally, and internationally. Applications for High-Traffic/Freight AFC sites along I-5 must demonstrate how the proposed charging infrastructure will accommodate current freight demand, projected medium- and long-term freight growth, and the expanding market for electric trucks.

Minimum site and charging requirements

Proposals for High-Traffic/Freight AFC sites must meet the following requirements:

- **Charging ports and power:** Provide a minimum of eight (8) charging ports per site. At least four (4) ports must be capable of delivering 350 kW of continuous charging power simultaneously. Every port must provide a minimum continuous charging capacity of 250 kW.
- **Total installed capacity:** Provide at least 2.5 MW of installed and energized total charger nameplate capacity per site. Applicants may propose different combinations of ports and charger power ratings to meet or exceed this minimum, provided all port-level and simultaneous power requirements are met.
- **Pull-through design:** Include required pull-through charging design for at least 4 ports to accommodate medium- and heavy-duty vehicles.
- **Future expansion:** Install conduit and switchgear and provide a pad to accommodate at least one future 1 MCS charger.
- **Electrical service:** At commissioning, available site power must support at least 80% of total installed charger nameplate capacity, with a minimum of 2 MW. Within five (5) years of agreement execution, available site power must support 100% of total installed charger nameplate capacity. All proposals submitted must demonstrate capacity to support the 80% minimum total installed charger nameplate capacity and document the plan to reach 100% capacity within the five-year period.

Examples of potential charging configurations include:

- Eight (8) 350 kW ports, providing 2.8 MW total.
- Four (4) 350 kW ports and six (6) 250 kW ports, providing 2.9 MW total.
- Four (4) 350 kW ports, two (2) 250 kW ports, and one 1 MW charger with two (2) MCS ports, providing 2.9 MW total.

All proposed configurations must meet the minimum port count, power, and site capacity requirements.

Federal standards and technical requirements

Projects must comply with applicable requirements under Title 23 of the Code of Federal Regulations (CFR), including Part 680, and all applicable Buy America and Build America, Buy America requirements.

Chargers and charging networks must meet the applicable interoperability requirements, including ISO 15118, Open Charge Point Protocol (OCPP) 2.0.1, and Open Charge Point Interface (OCPI) 2.2.1.

Each charging port must maintain at least 97% uptime annual for a minimum of five (5) years after installation (see Appendix B – Minimum NEVI Standards and Requirements (see section on Minimum Uptime).

Public access, location, and accessibility

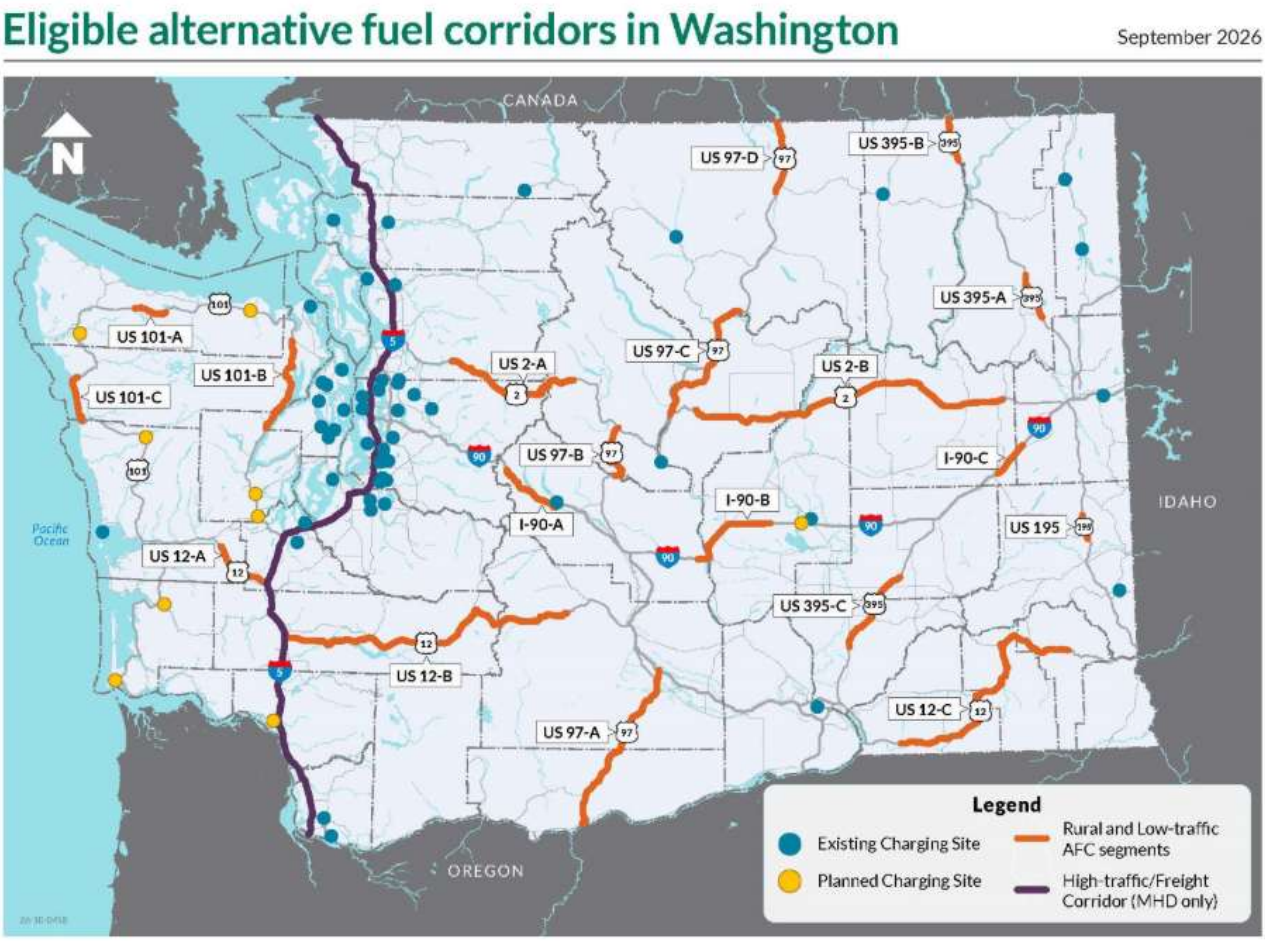
Medium- and heavy-duty charging stations must be publicly accessible, meaning the equipment is available to the public without restriction, or accessible to authorized fleet operators from more than one company. Reservation systems are permitted, provided access remains consistent with these public-access requirements.

Sites may be located approximately 50 to 75 miles apart and must be within three (3) miles of an I-5 highway exit.

Charging stations must be accessible to and usable by individuals with disabilities and comply with applicable Americans with Disabilities Act (ADA) requirements and the U.S. Access Board's Design Recommendations for Accessible Electric Vehicle Charging Stations recommendations Design Recommendations for Accessible Electric Vehicle Charging Stations.

Award priority: Site design and vehicle accommodation

A key consideration in award decisions is how effectively the proposed site design accommodates the range of medium- and heavy-duty vehicle classes, from Class 3 through Class 8 https://afdc.energy.gov/data/widgets/10380. Applicants should use recognized truck design standards, manufacturer specifications, and other applicable engineering resources to demonstrate that the proposed site can safely accommodate the medium- and heavy-duty vehicles it is intended to serve. Resources include WSDOT's *Siting and Layout Considerations for Dedicated Truck Parking Facilities*, the WSDOT Design Manual, and the U.S. Department of Energy's Alternative Fuels Data Center vehicle database.



Note: WSDOT is seeking proposals for passenger electric vehicle charging projects along highlighted segments of US 2, US 12, US 97, US 101, US 195, US 395, I-82, and I-90. WSDOT is seeking up to six ultrafast charging stations for medium and heavy-duty vehicles along I-5.

Table 3: Number of anticipated NEVI awards by AFC segment (in Accumulated Route Miles)

Item no.	Segment	From	To	Length	Location description	Est. no. of sites
1	US 2-A	25.5	75.7	50.2	East of Sultan to sparsely populated area	1
2	US 2-B	144.3	253.90	109.6	Waterville to SR 231 Jct., east of Davenport	3
3	US 12-A	25.3	46.2	20.9	South of Capitol Forest & Chehalis Reservation	1
4	US 12-B	66.3	174.6	108.3	I-5 Jct. at Napavine to past Rimrock Lake	2
5	US 12-C	317.9	404.9	87	West of Walla Walla to east of Lewiston	2
6	I-90-A	56.7	79.1	22.4	Snoqualmie Pass to Cle Elum	1
7	I-90-B	132.7	194.5	61.8	Vantage to east of Moses Lake	1
8	1-90-C	245	256.4	11.4	Along Fishtrap Rec. Area, west of Spokane	1
9	US 97-A	0	61	61	I-82 junction to Columbia River	1
10	US 97-B	144.1	169.6	25.5	West of Blewitt Pass to SR 2 Jct. Peshastin	1
11	US 97-C	198.5	246.9	48.4	Near junction with SR 2 to Brewster	1
12	US 97-D	297.3	321.5	24.2	South of Tonasket to Canadian border	1
13	US 101-A	216.1	226	9.9	Astoria bridge to Raymond	1
14	US 101-B	285	319.5	34.5	Humptulips to Hoh Reservation	1
15	US 101-C	151	166.1	15.1	Western half of Lake Crescent	1
16	US 195	45.4	52.9	7.5	Midway between Lewiston and Spokane	1
17	US 395-A	194.5	209.2	14.7	Loon & Deer Lake area to south of Chewalah	1
18	US 395-B	260.6	275	14.4	From Canadian border to Oregon state line	1
19	US 395-C	48	77.6	29.6	South of I-90 (Ritzville)	1
20	I-5	0	277	277	I-5 corridor **(MHDV only)**	6
					Total number of eligible alternative fuel corridor segments	29

As Applicants develop their proposals, they are encouraged to review distance requirements, associated project funding for each AFC proposal submitted, and number of anticipated NEVI awards by AFC segment.

Technical support

WSDOT has developed data analytics tools and mapping capabilities to help Applicants identify

potential host sites and prime locations for EV charging infrastructure investments along highway corridors. The Washington State Electric Vehicle Mapping and Planning Tool (EV MAP), is an interactive, statewide mapping and forecasting tool that identifies the nationally recognized Alternative Fuel corridors, existing public charging stations details from the AFDC database, EV registrations, electric utility providers, and about one hundred other data sets, many at the census tract level. The tool also shows planned and funded EV charging sites.

As Applicants develop their proposals, they are encouraged to review distance requirements and associated project funding for each proposed AFC site of interest.

WSDOT will update the EV MAP portal on a timely basis, to reflect awards.

WSDOT will only consider making grant awards for proposed Charging Stations along the NOFO Round 2 Alternative Fuel Corridor (AFC) corridor segments as listed above. The existing locations of charging infrastructure along AFCs are located online at: Alternative Fuels Data Center: Station Data for Alternative Fuel Corridors (energy.gov). The EV charging dataset includes only DC fast-charging stations that have at least four (4) charging ports with CCS connectors and each support a power output of at least 150 kW for Rural and Low-Traffic AFCs, dedicated to serving light-duty stations.

That said, regardless of charging data provided in EV-MAP, Applicants submitting applications for the High-Traffic/Freight Corridor AFC serving MHDV must include sites with at least eight (8), charging ports, four (4) of which are capable of simultaneous charging of 350kW with pull through design and with a total site capacity of at least 2.5 MW. Sites must also include the conduit, switchgear, and pad for at least one future Megawatt Charging System (MCS) charger. Proposals for High-Traffic/Freight Corridor—Upgrading existing sites to medium- and heavy-duty charging stations: Applicants may apply to upgrade existing charging stations along Interstate-5 (I-5) if they have the specific knowledge that the station doesn't meet all minimum requirements as outlined by the Joint Office of Energy and Transportation in the June 2024 guidance, as follows: 23 CFR 680.104, 23 CFR 106(b), 23 CFR 680.106(c), 23 CFR 680.106(d), 23 CFR 680.106(e), 23 CFR 680.106(f), 23 CFR 680.106(g), 23 CFR 680.106(h), 23 CFR 680.106(i), 23 CFR 680.106(k), 23 CFR 680.106(l), 23 CFR 680.108, 23 CFR 680.110, 23 CFR 680.114, and 23 CFR 680.116.

By submitting NOFO/RFP proposals, Applicant acknowledges WSDOT's right to make full, or

partial awards, depending on overall NEVI program and AFC requirements, including but not limited to technical and geographic concerns. Applicants also acknowledge that this NOFO does not obligate WSDOT to award a grant or complete the project, and that WSDOT reserves the right to cancel the solicitation if it is determined to be in the agency's best interest. Applicants must adhere to all terms of this NOFO. All costs incurred responding to this NOFO will be borne by the Applicant.

Number of applications. WSDOT reserves the right to cap the number of sites on a given AFC. While an AFC is open for solicitation, there is no limit to the number of applications that an Applicant may submit for open AFC, or that WSDOT will review. If/as WSDOT selects the top-scoring site(s) until the number of sites per AFC segment has been reached, WSDOT will close that segment (and will no longer take applications for that segment). When WSDOT makes awards and closes an AFC segment, WSDOT will publish information on the NEVI grant website and update the EV-MAP. Please carefully review the minimum requirements for each AFC, to confirm that your application meets WSDOT requirements and can be considered as eligible for review. WSDOT encourages Applicants to use the reference map and conduct due diligence in developing their proposal(s).

Open window and streamlined evaluation processes

WSDOT will implement an "open/rolling" window RFP, to allow Applicants sufficient time to plan and structure their proposals. The window will open on October 20, 2026 and close a year later, on October 19, 2027. Applicants are allowed to submit applications at any time during the open window. WSDOT will review and evaluate applications monthly until the RFP is closed. WSDOT will make offers for conditional awards to the Applicant(s) with the top-ranked proposal for each segment. WSDOT reserves the right to consider or review other scored applications as alternative options, depending on the agency's discretion and AFC demand. WSDOT will monitor the RFP application status and level of interest in NEVI Round 2 and reserves the right to make RFP changes to meet Program and policy guidelines.

2. Project requirements

2.1. Federal project requirements

2.1.1. Statutory requirements

The Grantee is responsible for adhering to all applicable requirements of Title 23 United States Code of regulations and 2 CFR Part 200 that apply to the administration of these funds, which include but are not limited to 23 CFR 680, 49 CFR Part 24 (https://www.ecfr.gov/current/title-49/subtitle-A/part-24), the Davis-Bacon Act, FHWA Form 1273, the Americans with Disabilities Act of 1990 (ADA), Title VI of the Civil Rights Act of 1964, the National Environmental Policy Act of 1969 (NEPA), and the Build America, Buy America (BABA) Act. In addition to these requirements, the Grantee must comply with all other regulations, standards and requirements that may be required by Federal, State, and local laws.

Applicants are strongly encouraged to conduct their due diligence and to understand applicable Federal, State, and local laws.

2.1.2. Physical sites

The NEVI Formula Program aims to establish a nationwide network of DCFC infrastructure consisting of sites with a minimum of four (4) ports capable of continuous charging at 150kW simultaneously. Depending on the AFC that the Applicant selects, WSDOT requires minimum capacity of 150kW (Rural/Low-Traffic AFC sites) or 250kW (High-Traffic/Freight AFC sites). Based on FHWA August 2025 Final Interim policy guidelines, WSDOT now provides Applications with flexibility on distance requirements for physical sites/locations. Please refer to Section 1.4 for more detail on revised distance requirements.

2.1.3. Technical standards

The BIL required FHWA to develop a set of minimum standards and requirements for EV charging infrastructure which are provided in 23 CFR 680. Accordingly, the NEVI program establishes 23 CFR 680 as the **minimum technical standard** regarding the interoperability of electric vehicle charging infrastructure, charging network connectivity of electric vehicle charging infrastructure, data submittals, and information on publicly available electric vehicle charging infrastructure locations, pricing, real time availability, and accessibility through mapping.

2.1.4. Funding and applicant project match

Funding for any agreement resulting from this NOFO will be reimbursed from NEVI formula funds. The Grantee is required to provide at least a 20 percent financial contribution for proposals designated to serve Rural/Low-Traffic AFCs and 30 percent financial contribution for High-traffic/Freight AFC proposals (Grantee Project Match) of the eligible project costs that are authorized by an agreement between the Grantee and WSDOT[4].

[4] See 2 CFR 200.306 – Cost sharing and matching

3. Scope of work and deliverables

A successful Applicant/Grantee must work with the Grant Administrator to complete a pre-agreement risk assessment within thirty (30) days of conditional award (see Sample Risk Assessment Form). This includes but is not limited to Applicant's experience managing federally funded grants, legal assessment and status, accounting systems and internal controls, financial assessment, and monitoring/audit findings (For detailed information, see [Revised] Exhibit C, Scope of Work and Deliverables). WSDOT reserves the right to amend [Revised] Exhibit C, as necessary, depending on the results of the pre-Agreement risk assessment.

4. Eligibility criteria

4.1. Eligible applicants

Funds made available under the NEVI Formula Program shall be used to contract with a private entity – or a consortium of private entities -- for the siting, acquisition, installation, and operation and maintenance of publicly accessible EV charging infrastructure. An eligible applicant is a private entity, as defined under 23 USC 151(f)(1) and 23 USC 151(f)(3), including corporations, partnerships, company(ies), nonprofit organizations, Tribal governments and/or organizations, public utility districts, and other entities.[5]

All Applicants must meet or exceed the "shovel-ready" requirements listed in Section 1.4 of this NOFO/RFP.

4.2. Application limitations and requirements

General guidelines.

Each application is limited to one site. Applicants are encouraged to submit multiple applications. If a corridor segment requires two or more sites, applicants are not required to apply for the entire segment. Applicants are responsible for conducting their due diligence, including understanding all terms and conditions of the documents and applicable Federal, State, and local laws. It is recommended that Applicants thoroughly review the reference documents associated with this streamlined NOFO.

A summary of application categories is provided below for Applicant review and information.

Section	Application Category	Topics Covered	Requested Documents	Maximum Award 150 Points
A	Project Team Qualifications, Company Experience with Federal Compliance Requirements	Document experience with: (1) project management; (2) compliance with Federal Requirements: (3) prior experience with projects of 150 kW or higher EVSE; (4) past EVSE reliability.	Applicant must provide a matrix of key team members, with title, qualifications and years of industry experience. Applicants may provide one of two options to demonstrate team qualifications: **Option A**: Submit up to five (5) letters from either a Federal or state agency or municipality or city attesting to- on OFFICIAL LETTERHEAD - Applicant's satisfactory performance as lead Grantee managing EVSE 150 kW or greater. **6 points per letter** ***OR*** **Option B**: Applicant may request a panel interview on project team qualifications, experience and approach. Applicant may choose ONE option, but not both. **Whatever option Applicant chooses holds for the life of the NOFO/RFP.**	30
B	Approach and Understanding of Requested Services	Demonstrate approach and commitment to: (1) Operations & Maintenance and quality assurance; (2) Physical security and cybersecurity: Demonstrate compliance with WaTech's Washington State Enterprise IT Security Strategic Plan for 2025-2027 and SEC-01-01-G Security Principles Guidelines; 3) ADA Accessibility standards for charging stations;	**O&M and Quality Assurance: Project Uptime/Reliability - (Exhibit D Chart) – 20 points** **Physical & Cybersecurity:** Applicant commits to following EREMO procedures and State recommendations on safeguarding EV assets and to taking selected WATECH training, - **5 points** **ADA Compliance:** Applicant commits to following U.S. Access Board's Design Recommendations for Accessible Electric Vehicle Charging Stations - **5 points** **Site**: Applicant shall (1) submit includes Area Map, specification cut sheets for all proposed EVSE and Location Design and Layout materials; and (2) provide detailed assessment of company plans for site development. **(MAXIMUM 500 WORDS)**	30
C	Site Characteristics	Submit documentation of: (1) site details and amenities; (2) Site map, layout, design and design and supporting drawings and documents; (3) Utility Coordination: (4) Site Host Agreement (or Letter of Interest); (5) Surety Bond Letter of Interest	**Utility Coordination:** Applicant shall submit letter from utility confirming discussions on power availability and costs, utility upgrades. **Site Host Agreement:** Applicant shall submit a copy of their recorded deed, Title of Ownership and a Letter of Intent (LOI) or a signed Site Host Agreement. **Surety Bond:** Applicant shall submit a surety bond letter of intent that is signed by an approved Surety (or Sureties) that: (a) Is registered with and (b) appears on the current Authorized Insurance List of the Washington State Insurance Commissioner.	50
D	Future Proofing	Document approach to: (1) O&M beyond 5-years; (2) On-site renewable energy generation and storage; (3) Preparing site for future upgrades or expansion (4) connector types (NACS).	Provide equipment certifications (e.g., OCPP) sheets and describe how equipment connectors are designed to enhance long-term (beyond 5 years) operation of EV sites **(MAXIMUM 500 WORDS).**	20
E	Community Engagement	Document efforts from current or previous projects or from outreach in anticipation of site development.	Applicants should submit up to two (2) letters from organizations - - on OFFICIAL LETTERHEAD - attesting to Applicant's satisfactory performance on current or previous community engagement and outreach projects. **5 points for each letter**	10
F	Value Added Items	Applicant commits financial contribution/Cost Share of **30% (or more)** of passenger vehicle charging or **40% (or more)** of MHDV charging site eligible total project costs	☑	10
G	Cost Proposal	Applicant must submit: (1) NEVI Exhibit D Cost proposal. **(2) GAAP audited** financial statements.	Applicant must submit Exhibit D Cost Proposal (Excel spreadsheet) for each Site Applicant must submit a copy of their firm's most recent **GAAP audited** financial statements.	0

[5] Ineligible entity is any entity not defined under 23 USC 151(f)(1) and 23 USC 151(f)(3).

[6] See Exhibit B (Technical Specifications and Requirements for Operation) and NOFO Ranking Criteria

5. Eligible costs for reimbursement

- All funding [distributed under the NEVI Formula Program] shall be for projects directly related to the charging of a vehicle and only to support EV charging infrastructure that is open to the general public or to authorized commercial motor vehicle operators from more than one company."[7]
- Grantees will be reimbursed for eligible project costs according to the Technical Application/Response Form and Cost Proposal Form (Exhibit D). Applicants may apply for grant funds for up to 80% of the eligible project costs, with a minimum required match of 20% to be provided by the Applicant. There are no State funds available for this project. Eligible costs are expenses deemed to be eligible by 23 Code of Federal Regulations (CFR) 680 and 2 CFR Part 200 Principles.
- All construction costs for NEVI Formula Program projects, as defined under 23 U.S.C. 101(a)(4), are eligible so long as they are directly related to the charging of an electric vehicle (EV) https://www.law.cornell.edu/uscode/text/23/101. These costs must be allowable, allocable, and reasonable in accordance with 2 CFR part 200. To be considered directly related to the charging of vehicles, the item must be a necessary component in the EV charging station, be a necessary component to connect the EV charging station to the electricity source (or to supply power from the electricity source), provide eligible signage to direct EVs to the charging station, or provide information to EV users about use of the charging stations. This includes the costs of new public EV charging stations, as well as upgrades to existing EV charging stations.
- **As Applicants develop their cost proposals, WSDOT invites you to review the types of costs that may be eligible for NEVI Formula Program funding**.

5.1. Ineligible costs

Costs beyond those defined above and not deemed by WSDOT as directly related to acquisition and installation of EV charging infrastructure will be treated as an ineligible cost under this program.

5.2. Match share:

The Grantee is required to provide a minimum **20 percent financial contribution** for sites designated to serve Rural/Low-Traffic AFCs. A **30 percent financial contribution** is required

for High-Traffic/Freight AFC sites (Grantee Project Match) to the eligible project costs that are authorized by an Agreement between the Grantee and WSDOT. If Grantee is a consortium or group of bidders, all members of the consortium must provide a financial contribution of no less than 10% of the Grantee match share. The requirement to comply with the 10% minimum financial contribution must be certified in the Grantee's application. Failure to comply with this requirement may result in disqualification.

Example: Applicant A – consisting of a consortium of three companies - submits a proposal for one [Rural/Low-Traffic] site on AFC US 2. If Applicant is requesting $1.0 million total NEVI funding, the minimum total project cost is $1.25 million The consortium would be responsible for a minimum 20% project match, or $250,000. Each company included in the NOFO/RFP application must commit to a minimum financial contribution of $25,000 --10% of the project match – for WSDOT to deem the proposal as eligible. The financial contribution towards project match is a fixed requirement. As such, the financial contribution benchmarks to company match, which may be minimum 20% or higher. For example, if Applicant A commits to a 40% project match of $500,000 to the $1.25 million project**,** each company included in the application will be required to commit to a financial contribution of $50,000.

- Project management costs are excluded from Match Share.
- Match Share expenditures must be documented, reasonable, allowable, and deemed appropriate to allocate to the project according to 2 CFR 200 guidelines, and as determined by WSDOT.

Finally, WSDOT recognizes that although many State and Federal programs have similar program goals, policy priorities to achieve these goals may diverge. Accordingly, WSDOT is unable to accept NEVI Applications that include fund "stacking" - that using a combination of non-private (e.g. State funding) to meet Grantee Project match.

We require Grantee project match to consist of private sector funding. Formula funds will cover up to 80% of eligible project costs, and Applicants will be required to commit to a financial contribution (minimum Grantee project match) of either 20% or 30% of eligible project costs for Rural/Low-Traffic AFC and High-Traffic/Freight AFC applications, respectively.

6. How to apply

6.1. General application requirements

Applicants will submit an application for each site via email (nevi.programk@wsdot.wa.gov) and must indicate which AFC segment the application applies. At a minimum, the Applicant must provide the following information:

Corporate identification – Uniform Business Identified (UBI) Registration Number

To respond to this Round 2 NOFO, all Applicants must have State of Washington Uniform Business Identified (UBI) number, that registers your business with several state agencies and allows you to do business in the State. Applicants who do not yet have UBI are required to register their business with the State's Department of Corporations (https://www.sos.wa.gov/corporations-charities) **prior** to submitting your NEVI application.

Secured site(s).

A Secured Site is one where Applicant is:

- The Site Host, certified by Title of Ownership registered in the State of Washington; or
- Not the Site Host but has secured – or is able to secure -- a Site for dedicated NEVI use. WSDOT defines a "secure" Site as one where Applicant and Site Host are able to certify and sign a Site Host Agreement within thirty (30) days of Notice of Conditional Award (NOPA).

At the time of application, the Applicant must provide a copy of their recorded deed, Title of Ownership and a signed Letter of Intent (LOI) or a signed Site Host Agreement. The LOI or Site Host Agreement shall demonstrate Applicant's ability to meet the following requirements:

1. **Site Term**. The site is continuously available to the Applicant for the entire length of the five (5) year Agreement, for the purpose of acquiring, constructing, installing, operating and maintaining an EV charging station in accordance with 23 CFR 680 and all applicable Federal, State, and local laws and regulations.

2. **Compliance with applicable laws and NEVI standards**. WSDOT and its agents have the reasonable right of entry to the property, as well as to visually examine the property and ground to complete environmental reviews necessary to comply with NEPA and right-of-way (ROW) requirements, or for the purpose of inspection, or for any and all activities needed to ascertain Grantee's compliance with 23 CFR 680 and all applicable Federal, State, and local laws and regulations.

3. **Grantee obligation**. WSDOT and Applicant/Grantee understand and agree that Applicant/Grantee has an obligation to maintain the Secured Site in a manner to allow Project Work that meets or exceeds 23 CFR 680 standards and all applicable Federal, State, and local laws and regulations.

4. **Event of default**. WSDOT and Applicant/Grantee understand and agree that any change conditions of, (1), (2), or (3) shall constitute Applicant/Grantee Event of Default to the Agreement.

5. **Notice and opportunity to cure**. If there is any change in conditions in (1), (2), or (3), Applicant/Grantee shall notify WSDOT within thirty (30) days of said change WSDOT, at its sole discretion, may allow Applicant the opportunity to cure the Event of Default.

The successful Applicant/Grantee will be required to sign WSDOT's Site Host Certification Form within 30 days of the Grant award date. Failure to execute a Certification Form within thirty (30) days of bid award may result in disqualification.

Surety bond letter of intent.

The surety bond letter of intent shall be signed by an approved Surety (or Sureties) that:

- Is registered with the Washington State Insurance Commissioner; and
- Appears on the current Authorized Insurance List in the State of Washington published by the Office of the Insurance Commissioner.

Insurance.

All Applicants must submit proof of insurance policies – including but not limited to workers compensation, commercial general liability, umbrella liability, professional liability and cyber

insurance policies -- valid for operations in the State of Washington.

Exhibit D-1 – (Technical Application) and supporting documentation. For further information, please visit WSDOT's grant page and review application instructions.

Exhibit D-2 – (Response Form and Cost Proposal Form). Applicants should carefully review technical requirements for each site they apply for, to ensure that estimated project costs are viable. If awarded, Grantees will be held to cost projections and maximum reimbursement amount provided in the Cost Proposal Form.

6.2. Application timeline

The timeline below outlines the activities and corresponding dates that all Applicants must meet. WSDOT may update this timeline and will notify participants by posting an addendum on its **NEVI Grant webpage https://wsdot.wa.gov/business-wsdot/grants/zero-emission-vehicle-grants/national-electric-vehicle-infrastructure-nevi-grant**

ACTIVITY	DATE	TIME	DETAILS
NOFO/RFP	10/20/2026	5:00 PM PDT	NEVI Grant Page, email
NOFO Webinar	11/2026	TBD	NEVI Grant Page
Questions Due	10/30/2026	5:00 PM PDT	Email nevi.programk@wsdot.wa.gov
NOFO Amendment (if/as needed)	10/30/2026	5:00 PM PDT	NEVI Grant Webpage, Email
Application Review	Monthly review.	11:59 PM PDT	**Email to:** nevi.programk@wsdot.wa.gov
Conditional Award (Anticipated)	30 days after each close of Application period	Updates of proposed awards when contracts are executed	NEVI Grant Webpage, email
WSDOT Debrief	Within twenty (20) business days after Notice of Final Award	TBD	NEVI Grant Webpage, email
Execution of Grant Agreement	Within thirty (30) days of Final Award	TBD	To be detailed in conditional award notice

6.3. Questions

Applicants who have any questions regarding this NOFO must submit questions by e-mail only to the Grant Administrator(s):

- Grant Administrator Email: nevi.programk@wsdot.wa.gov

Questions should be addressed via email with the following information. Questions that fail to identify all the requested information will not be considered.

- NOFO Document Name
- NOFO Document Section Number
- NOFO Document Page Number
- Question

All questions and answers will be posted on WSDOT's NEVI Grant Webpage.

No other WSDOT personnel are allowed to discuss the NOFO before the proposal submission deadline. If this should change, WSDOT will clearly communicate the change by posting the update to WSDOT's NEVI Grant Webpage and by email.

WSDOT reserves the right to amend this NOFO at any time by addendum. If the addendum is issued before the closing date for receipt of applications, WSDOT may, in its sole discretion, extend the due date for application submittals. If the addendum is issued after the closing date for receipt of applications, WSDOT may, in its sole discretion, allow Applicants to amend their project applications in response to the addendum, if necessary. Applicants shall acknowledge all addendums in writing, per the instructions included in the addendums. Failure to review and acknowledge all addendums may be grounds for rejection of an application and may be deemed non-responsive.

Any person requiring this NOFO document in an alternative format (such as braille, large print, or in a different language) may receive it at no cost. Please email your request to nevi.programk@wsdot.wa.gov.

Any person requiring a special accommodation due to a disability should contact WSDOT by email at nevi.programk@wsdot.wa.gov for assistance with this NOFO at least five (5) business days prior to the activity or action for which assistance is needed.

6.4. Application submittal

Applicants must email each application with attachments in **one** ZIP file to nevi.programk@wsdot.wa.gov with the following subject line NEVI Proposal_[Location]_[Company Name]. NOFO/RFP proposals are to be submitted no later than 11:59 PM PDT on October 15, 2027.

6.5. Application amendment or withdrawal

WSDOT reiterates its intent to exclusively award grants to proposals for "shovel-ready" projects. That said, the agency recognizes that contingencies may arise where Applicants may be required – for purposes of materiality and completeness - withdraw and resubmit an application. Applicants who wish to do so may request WSDOT approval to resubmit the entire application and shall be limited to a total **one application for a site or corridor segment** during the one-year RFP term. To ensure that NEVI proposals meet WSDOT's "shovel-ready" standard, we encourage Applicants to carefully review their proposals **prior** to submission. The agency reserves the right to approve (or deny) requests for application resubmission or amendment.

6.6. WSDOT discretion

WSDOT reserves the right to reject any or all applications at any time prior to the execution of an agreement. The agency is not obligated to fund an application for any of the following reasons:

1. The Applicant has been disqualified from previous competitive solicitations or contracts with WSDOT or other state agencies;

2. The Applicant has had previous contracts and/or grant awards with WSDOT or other State agencies rescinded or cancelled;

3. The Applicant has demonstrated marginal or unsatisfactory performance on previous competitive selections or contracts with WSDOT or other state agencies.

WSDOT reserves the right to verify information contained in the application. This may include using publicly available information and other outside sources to evaluate the Applicant's performance under other contracts.

6.7. Disqualification of applications

WSDOT may outright reject or may not evaluate applications for any of the following reasons:

- The Applicant fails to submit the application by the due date and time.
- The Applicant acknowledges that a requirement of the application cannot be met.
- The Applicant materially changes a requirement of this NOFO, or the application is not compliant with the requirements of this NOFO.
- The application limits the rights of WSDOT.
- The Applicant fails to include an authorized signature.
- The Applicant presents the information requested by this NOFO in a format inconsistent with

the instructions of the NOFO or otherwise fails to comply with the requirements of the NOFO, including but not limited to failing to provide all required information.

- The Applicant provides misleading or inaccurate responses.
- The application includes conditional offers or non-committal language.
- There is insufficient evidence (including evidence submitted by the Applicant) to satisfy WSDOT that the Applicant is properly qualified to meet the requirements of this NOFO or the application.
- The proposed project is not in compliance with the applicable state or federal statutes or rules.

6.8. Disposition of applications and copyrights

All applications become WSDOT property and will not be returned to the Applicant at the conclusion of the selection process. Contents of all applications will be in the public domain and open for inspection by interested parties.

The Applicant agrees that WSDOT may copy the applications for purposes of facilitating the evaluation of the application or responding to requests for public records. By applying, the Applicant consents to such copying and warrants that such copying will not violate the rights of any third party.

6.9. Public data

If the Applicant submits information in its response to this NOFO/RFP that the Applicant considers as constituting trade secrets under RCW 19.108 or constituting financial, commercial and proprietary information under RCW 42.56.270, and Applicant wishes to protect such information from disclosure either (a) to other Applicants during the grant process or (b) to the public as a public record, Applicant must designate such information in the text of the application by including it within brackets and by including at the bottom of the application page on which they appear with the applicable identifying legend(s):

- This page contains information that constitutes a trade secret under RCW 19.108 and is not to be disclosed except in accordance with applicable law.
- This page contains confidential, proprietary information and is not to be disclosed except in accordance with applicable law.
- This page contains sensitive business, commercial or financial information and is not to be disclosed except in accordance with applicable law.

The Applicant shall also submit a fully redacted version of its application, clearly identified as the redacted version, redacting such information that the Applicant considers as constituting trade secrets or confidential financial, commercial and proprietary information, or sensitive business, commercial, or financial information, consistent with provisions of RCW 19.108 and RCW 42.56.270.

6.10. Exhibits and reference documents.

6.10.1. List of exhibits

- [SAMPLE] NEVI GRANT AGREEMENT
- Exhibit A – Notice of Funding Opportunity (NOFO) and Request for Applications (RFP)
- [Revised] Exhibit B – Technical Specifications and Requirements for Operation
- [Revised] Exhibit C – Scope of Work and Deliverables
- [Revised] Exhibit D – Technical Application/Response Form and Cost Proposal Form
- Exhibit E – National Electric Vehicle Infrastructure Standards and Requirements ("NEVI Rule")
- Exhibit F – Federal Highway Administration (FHWA) Form 1273
- Exhibit G – Standard Non-Discrimination Form
- Exhibit H [SAMPLE] NEVI Grantee and SITE HOST CERTIFICATION Form and Notice of Property Owners' Rights under the Uniform Act
- Exhibit I - Project Wage Rates (Davis-Bacon and Washington Prevailing Wage Rates as of DATE XX)
- Exhibit J: Reimbursement Request Template ("Grant Progress Report and Reimbursement Request Templates")
- [Revised] Exhibit K:-Buy America Requirements for EV Chargers ("NEVI BABA Rule"), Buy America Requirements for Manufactured Products (January 14, 2025 Final Rule)
- Exhibit L: Design Recommendations for Accessible EV Charging Stations (Accessibility Recommendations)
- Exhibit M: Federal Transparency Act Subaward Reporting
- Exhibit N – Affidavit of Non-Collusion (Lobbying Certification)
- Exhibit O - Conflict of Interest and Disclosure Form
- Miscellaneous Documents

♦ Sample [Financial] Risk Assessment Form

6.11. Reference

- WSDOT's NEVI Grant Website https://wsdot.wa.gov/business-wsdot/grants/zero-emission-vehicle-grants/national-electric-vehicle-infrastructure-nevi-grant

7. Evaluation of applications

7.1. Evaluation process

WSDOT will use the following process to evaluate applications.

7.1.1. Responsiveness check

All applications will be reviewed for responsiveness (Responsiveness Check) to confirm the application meets the NOFO requirements. The Responsiveness Check is a two-step, pass/fail assessment. The first step is a Non-Technical Responsiveness Check and will be reviewed to confirm that all Applicants meet the "shovel-ready" requirements identified in Section 1.4 of this NOFO/RFP. Applications that fail the Non-Technical Responsiveness Check will be determined to be non-responsive and will not be evaluated further.

The second step is a Technical Responsiveness Check. Applications that fail the Technical Responsiveness Check will be determined to be non-responsive and will not be evaluated further. If an Applicant or application fails to meet one or more of the requirements detailed in Exhibit D, Technical Application/Response Form and Cost Proposal Form, it may be determined to be non-responsive. All requirements can be found in Exhibit D, Technical Application/Response Form and Cost Proposal Form.

7.1.2. Technical and cost proposal scoring criteria and evaluation

To evaluate technical applications, WSDOT will establish a Review Committee made up of members representing WSDOT staff and/or relevant Washington State government agencies. Applications that pass the Responsiveness Check will be evaluated and scored individually by each Review Committee member on a competitive basis according to the scoring criteria and point maximums provided in the table below. Applicants may receive a maximum of 150 points (see summary of application categories).

7.1.3. Score tabulation

The maximum final score for any application is 150 points. The Review Committee will finalize all award recommendations. The Program Manager will draft a recommendation report of the grant award and submit the report to the Innovative Partnerships Program Director for review prior to notifying Applicants.

7.1.4. Award

WSDOT will notify the successful Applicant via email and offer a Conditional Notice of Award to Applicant, contingent upon Applicant executing a Site Host Agreement within thirty (30) days. If/as Applicant accepts these terms, WSDOT will post the Notice of Proposed Awards on the website https://wsdot.wa.gov/business-wsdot/grants/zero-emission-vehicle-grants/national-electric-vehicle-infrastructure-nevi-grant. Once an award has been made for a segment and a Contract Agreement is in place for a site, that segment will close and WSDOT will not take any more applications for that highway segment. Please review Table provided in Section 1.4 for further information.

An Agreement may be awarded to a responsive application that has been approved by the Review Committee. An Applicant with a low bid or proposal who claims error and fails to enter into a contract is prohibited from bidding on the same project site again.
WSDOT reserves the right to recommend partial funding of any proposal. In this event, the proposed Applicant/Awardee and WSDOT's NEVI Grant Manager must meet and reach agreement on a reduced scope of work commensurate with the level of available funding.

7.2. Application irregularities and clarifications

WSDOT has the authority to reject any or all applications and to waive or allow corrections of any minor irregularities or non-material omissions.

7.2.1. Complaint and protest procedures

Eligible Applicants may make formal complaints during the application process both prior to award and after award.

7.2.2. Complaints prior to award

A complaint may be made before a potential Applicant responds to a solicitation document, if the potential Applicant believes that the application document unduly constrains competition or contains inadequate or improper criteria. Applicant must present – and provide citations to - objective market and/or industry or third-party data and/or established research to support the complaint. The written complaint must be made to the department before the due date of the application. A person authorized to bind the eligible Applicant to a contractual relationship must sign the complaint. The agency solicitation process may however continue.

The complaint letter must be addressed to:

WSDOT Innovative Partnerships

Attn: Tonia Buell, Alternative Fuels Program Manager
Washington State Department of Transportation
7407 31st Ave NE
Lacey WA 98516

Email:nevi.programk@wsdot.wa.gov

(Letter must be addressed with Subject Line as follows: "NEVI")

The NEVI Grant Manager (Tonia Buell, Alternative Fuels Program Manager) must reply to the potential Applicant with a written decision within five (5) days after the complaint was received by WSDOT. If the potential Applicant rejects WSDOT's proposed solution to the complaint, the potential Applicant may appeal to the Director of Innovative Partnerships. The Director may direct modification of solicitation requirements or the schedule, direct withdrawal of the solicitation, or take other appropriate steps or may affirm the decision of the NEVI Grant Manager.

The Director's decision is final and no further administrative appeal is available.

WSDOT Innovative Partnerships
Attn: Anthony Buckley, Innovative Partnerships Director
Washington State Department of Transportation
7407 31st Ave NE
Lacey WA 98516

Email: nevi.programk@wsdot.wa.gov

(Letter must be addressed with Subject Line as follows: "NEVI")

7.2.3. Protests after award

Protests that present – and provide citations to - objective market and/or industry or third-party data and/or established research to support the protest may be made within five (5) days after the monthly application review and Applicant is informed of their proposal results. Within twenty (20) business days after the RFP window closes, and if/as requested by an Applicant, WSDOT shall provide copies of the bids received for the project.

Protests may be made only after the Applicant has had a debriefing conference with WSDOT. Protests may only be made on the following grounds;

- Failed to follow procedures established in Application Guide, or applicable State or Federal laws or regulations.
- There was bias, discrimination or conflict of interest on part of an evaluator.

A person authorized to bind the Applicant to a contractual relationship must sign the protest letter. The WSDOT Innovative Partnerships Director must receive the written protest within five (5)

business days from the date of monthly application review and must, in turn, immediately notify the NEVI Grant Manager of receipt of the protest. If the Director needs more time to issue a written decision, WSDOT must notify the protesting Applicant and the Applicant against whom the protest was made of the delay. WSDOT must also postpone further steps in the awards process until the protest has been resolved. Protests must be addressed to:

WSDOT Innovative Partnerships
Attn: Anthony Buckley, Innovative Partnerships Director
Washington State Department of Transportation
7407 31st Ave NE
Lacey WA 98516
Email: nevi.programk@wsdot.wa.gov

(Letter must be addressed with Subject Line as follows: "NEVI Protest")

WSDOT will issue a written decision within ten (10) business days after receipt of the notice of appeal, unless more time is needed. The protesting proposer will be notified if additional time is necessary. WSDOT's determination is final, and no further administrative appeal is available.

If the Director finds that the award should not have been awarded, he must notify the Applicant that received the award and provide the reasons for the decision. Such Applicant must then have five (5) business days in which to appeal the director's decision to WSDOT's Principal Financial Officer, who will review the director's decision. The written appeal must be mailed to the following address:

WSDOT – Financial Administration CFO
Attn: Doug Vaughn, Principal Financial Officer
Washington State Department of Transportation
7407 31st Ave NE
Lacey WA 98516
Email: nevi.programk@wsdot.wa.gov

(Letter must be addressed with Subject Line as follows: "NEVI")

The proposer must also forward a copy of the written appeal to the NEVI Grant Manager, (Tonia Buell, Alternative Fuels Program Manager) at the same time the appeal is sent to WSDOT's Principal Financial Officer and the applicant against whom the protest is being made.

WSDOT's Principal Financial Officer must consider the facts available and issue a decision within ten (10) business days after receipt of the appeal, unless more time is needed. If more time is required, the appellant and the initial protesting proposer must be notified.

If WSDOT's Principal Financial Officer agrees that the award should be canceled, he must order the Innovative Partnerships Director to cancel the award within ten (10) business days after the decision is delivered to the Applicant which the contract had been initially awarded. If the award is canceled, WSDOT may award the contract to the next highest ranked and responsible applicant whose proposal is responsive to the solicitation.

7.2.3.1 Protest form and content

A protest or appeal must be in writing and must contain the facts and arguments upon which the protest is based and must be signed by a person authorized to bind the applicant to a contractual relationship.

At a minimum, this must include:

- The name of the protesting Applicant, mailing address, phone number, and the name of the individual responsible for submission of the protest.
- Specific and complete statement of the agency's action(s) being protested.
- Specific reference to the grounds for the protest.
- Description of the relief or corrective action requested. All facts and arguments on which the protesting Applicant is relying as the basis for its action.
- All relevant exhibits related to, or referred to in the protest, which must be attached to the protest or supplied on demand by WSDOT.
- Copies of all protests, appeals and exhibits must be mailed or delivered by the protesting Applicant to the Applicants against whom the protest is made at the same time such protest, appeal, and exhibits are submitted to WSDOT.

Appendix A: Definitions and acronyms

Alternative Fuel Corridor (AFC): National EV charging and hydrogen, propane, and natural gas fueling corridors designated by FHWA, pursuant to 23 U.S.C. 151.

Applicant: 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 is awarded.

Applicant (Grantee) Cost Share: See Match Share.

Bipartisan Infrastructure Law: A public investment of $350 billion in highway programs, including directing States to establish a nationwide network of 500,000 charging stations by 2030.

Charger: A device with one or more charging ports and connectors for charging EVs. Also referred to as Electric Vehicle Supply Equipment (EVSE).

Charging Network: A collection of chargers located on one or more properties that are connected via digital communications to manage the facilitation of payment, electrical charging, and transfer data requests.

Charging Network Provider: The entity that operates the digital communication network that remotely manages the chargers. Charging network providers may also serve as charging station operators and/or manufacture chargers.

Charging Port: The system within a charger that charges one EV. A charging port may have multiple connectors, but it can provide power to charge only one EV through one connector at a time.

Charging Station: The area in the immediate vicinity of a group of chargers and includes the chargers, supporting equipment, parking areas adjacent to the chargers, and lanes for vehicle ingress and egress. A charging station could comprise only part of the property on which it is located.

Combined Charging System (CCS): A standard connector interface that allows Direct Current Fast Chargers to connect to, communicate with, and charge EVs.

Commissioning: Testing to ensure that all systems are safe, robust and reliable, and meets or exceeds 23 CFR 680 standards prior to the initiation of public EV charger operation, typically performed by a certified engineer. Commissioning includes but is not limited to the obtaining of

necessary permits and certifications, the physical installation of the chargers, the connection to the electrical grid, testing of the electrical connections, verification of functionality, and compliance with all relevant codes and standards.

Connector: The device that attaches an EV to a charging port to transfer electricity.

Contactless Payment Method: A secure method for consumers to purchase services using a debit card, credit card, smartcard, mobile application, or another payment device by using radio frequency identification (RFID) technology and near-field communication (NFC).

Direct Current Fast Charging (DCFC): A charger that enables rapid charging by delivering direct-current (DC) electricity directly to an EV's battery.

Electric Vehicle (EV): A motor vehicle that is either partially or fully powered on electric power received from an external power source. For the purposes of the NEVI program, this definition does not include golf carts, electric bicycles, or other micromobility devices.

Electric Vehicle Infrastructure Training Program (EVITP): A comprehensive training program for the installation of electric vehicle supply equipment.

Electric Vehicle Charging Analytics and Reporting Tool (EV-ChART): A database created by the Joint Office of Energy and Transportation to facilitate the standardization and collection of the data submittals required under 23 CFR 680.112.

Electric Vehicle Service Provider (EVSP): The entity responsible for operation and maintenance of one or more networked or non-networked charging stations.

Electric Vehicle Supply Equipment: See Charger.

Future Proofing: An approach to preparing an EV station for future upgrades or expansion beyond the minimum (NEVI project) requirement of conduit and wiring

Grantee: 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: The agreement between the grantee and the Washington State Department of Transportation.

National Electric Vehicle Infrastructure Program (NEVI): Provides dedicated funding to States to strategically deploy EV charging infrastructure and establish an interconnected network to facilitate data collection, access, and reliability. Initially, funding under this program is directed to

designated Alternative Fuel Corridors (AFCs) for electric vehicles to build out this national network, particularly along the Interstate Highway System

North American Charging Standard (NACS/SAE J3400): A type of protocol for a charging connector interface between an EV and a charger. It specifies the physical, electrical, and communication requirements of the connector and mating vehicle inlet for direct-current (DC) fast charging. The North American Charging Standard is being standardized as SAE J3400.

Open Charge Point Interface (OCPI): An open-source communication protocol that governs the communication among multiple charging networks, other communication networks, and software applications to provide information and services for EV drivers.

Open Charge Point Protocol (OCPP): An open-source communication protocol that governs the communication between chargers and the charging networks that remotely manage the chargers.

Operations and Maintenance (O&M): The five-year period beginning immediately after the commissioning of an EV Charging Station.

Period of Performance (PoP): The total estimated time interval between the start of an initial Federal award and the planned end date[6].

Plug and Charge: A method of initiating charging, whereby an EV charging customer plugs a connector into their vehicle and their identity is authenticated through digital certificates defined by ISO-15118, a charging session initiates, and a payment is transacted automatically, without any other customer actions required at the point of use.

Pull-through design: Charging station design that will allow vehicles to drive through without reversing, making it easier for larger vehicles and those towing trailers to access the charging infrastructure.

Power Sharing: The process of dynamically limiting the charging power output of individual charging ports at a charging station to ensure that the sum total power output to all EVs concurrently charging remains below a maximum power threshold. This is also called automated load management.

Private entity: A corporation, partnership, company, other nongovernmental entity, nonprofit organization, or other entity, as defined in 23 USC 151(f)(3).

[6] 2 CFR Part 200.1

Resilience. Identification of the AFC location of existing and proposed EV charging infrastructure, with respect to potential impact of climate change and extreme weather events, as well as with respect to the Federal Flood Risk Management Standards.

Secure Site. A Host Site that meets requirements provided for in Section 6.1 of the NOFO.

Site Host Agreement: A legal contract between the owner of the real property (Site) and the Grantee that makes the Site available to the Grantee for the entire length of the Agreement for the purpose of constructing, installing, operating, and maintaining an EV charging station in accordance with 23 CFR 680 and all applicable laws and regulations and describes the legal obligations of each party.

Site Host: The owner of the land on which the charging station will be built.

Smart charge management. The process of controlling the amount of power dispensed by chargers to EVs to meet customers' charging needs while also responding to external power demand or pricing signals to provide load management, resilience, or other benefits to the electric grid.

Appendix B: 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. Applicants should carefully review Federal standards and requirements governing NEVI: https://www.ecfr.gov/current/title-23/chapter-I/subchapter-G/part-680.

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

Connecter 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 non-proprietary CCS Type 1 connector. Permanently attached non-proprietary connectors such as J3400 connectors can be provided on each charging port so long as the requirements of 23 CFR 680 are met.

Availability:

Charging stations must be available for use and sited at AFC 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.

All services implemented in Washington on state energy systems and networks must be compliant with the National Institute of Standards and Technology Cybersecurity Framework Profile for Electric Vehicle Fast Charging Infrastructure, International Standard 15118-20:2022, and third-party

contractor approval. NEVI awardees will be required to represent and warrant that they will comply with all applicable elements of the State Energy Resilience and Emergency Management Office (EREMO) cybersecurity and physical security program. and Washington Technology Solutions (WaTech) cybersecurity requirements.

Long-term Stewardship:

Charging stations must be maintained in compliance with NEVI requirements for a period of not less than five (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 (1) electrician, at least one (1) 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 AFC 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 (d)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.

Charger software must conform to ISO 15118–2.

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) 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:

O&M Data Reporting: The Grantee shall report data required by 23 CFR 680.112 directly to EV-ChART, at the time specified in Attachment 2, Scope of Work and Deliverables.
Electric Vehicle Charging Analytics and Reporting Tool (EV-ChART) · Joint Office of Energy and Transportation (driveelectric.gov)

§ 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.
- 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:
    - $\mu = ((525{,}600 - (T_{outage} - T_{excluded}))/525{,}600) \times 100$ where:

μ = port uptime percentage,

T_{outage} = total minutes of outage in previous year, and

$T_{excluded}$ = 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

Grantees 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 (e.g., DCFC.);

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, as well as U.S. Access Board's Design Recommendations for Accessible Electric Vehicle Charging Stations.

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.