

**Notice of Funding Opportunity (NOFO)
for the Tennessee Electric Vehicle
Infrastructure (TEVI) Program**



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I. Executive Summary

In November 2021, the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL), was signed into law. This law includes \$7.5 billion in dedicated funding to help make electric vehicle (EV) charging infrastructure accessible to all Americans for local and long-distance trips. This funding includes a \$5 billion National Electric Vehicle Infrastructure (NEVI) Formula Program to help states create a network of EV charging infrastructure along nationally designated Alternative Fuel Corridors (AFCs). The State of Tennessee expects to receive approximately \$88.3 million over 5 years (FY2022-2026).

The Tennessee Department of Transportation (TDOT) has developed this Notice of Funding Opportunity (NOFO) to solicit applications for grant funding under the NEVI-funded Tennessee Electric Vehicle Infrastructure (TEVI) Program. Awardees will purchase, install, own, operate, maintain, and report on Program-funded EV charging infrastructure throughout the state of Tennessee. A schedule of NOFO milestones is outlined in Table 1.

Table 1: TDOT NOFO Milestones

TEVI Program Milestone	Date
TEVI Program Open for Application Submission	August 7, 2023
Informational Webinar for Interested Applicants	August 21, 2023
Deadline for Application Submission	November 1, 2023
Application Review Period Ends	December 15, 2023
Anticipated Notification of Selection	January 5, 2024

- A. Applicants must complete, in its entirety, the TEVI Program Application Packet related to this NOFO to be considered for funding.
- B. NEVI Formula Funds come with specific Federal and State compliance requirements, including, but not limited to:
 - i. **Federal Statutory Compliance Requirements:** Awardees are required to comply with all Federal statutes pertaining to Federal Highway Administration (FHWA) funding, including Title 23 of the United States Code (U.S.C.) and the Code of Federal Regulations (CFR), 2 CFR 200, Federal Funding Accountability and Transparency Act (FFATA), Buy America and Build America (BABA), the Davis Bacon Federal Wage Rate, the Americans with Disabilities Act (ADA), Title VI of the Civil Rights Act, and the National Environmental Policy Act (NEPA). See the TEVI Guidance Document for incorporation of the NEVI Final requirements ([23 CFR 680](#)).
 - ii. **Federal NEVI Five-Year Operation, Maintenance, and Uptime Requirements:** Awardees are required to commit to a minimum of five (5) years of charging infrastructure

operation and maintenance (O&M) at 97% uptime from the respective date EV charging infrastructure sites are operational, with quarterly and annual data submissions. See the TEVI Guidance Document for incorporation of the NEVI Final Rule and related requirements.

Applicants must thoroughly review the NOFO and any accompanying guidance documents to ensure they have a complete understanding of the requirements and instructions for submitting their applications. By doing so, applicants can best position themselves so that their applications are both eligible and competitive.

TEVI Application Packet: The Application Packet provides specific forms that must be completed to apply for funding under the TEVI Program. The completion and submission of the Application Packet is required to be considered for funding under the Program. Contents for a complete Application Packet are listed below:

- I. Project Team and Qualifications
 - a. Electrical Safety
 - b. Fire Prevention and Safety
 - c. Cybersecurity
 - d. EV Infrastructure Workforce Development
 - e. Load Management / Demand Response
- II. Applicant Certification Statement
- III. Site Host Identification
- IV. Environmental Screening
- V. Utility Coordination Form
- VI. Application Narrative Template
- VII. Budget Form

Applicants should also reference the **TEVI Program Guidance Document** for relevant Program information and guidance.

TEVI Program Guidance Document: TDOT has developed a **TEVI Program Guidance Document** to be used as a resource and supporting document to this NOFO and the TEVI Program Application Packet. Contents of the TEVI Guidance Document are listed below:

- I. TEVI Program Definitions
- II. NEVI Program Requirements / Final Rule Guide
- III. Electric Vehicle Charging Infrastructure and Site Visualization
- IV. How to Create a Competitive Application

II. TEVI Program Description

A. Overview

Initial NEVI Formula Program funds are directed to FHWA-designated AFCs for EVs to support the build out of a national charging network, particularly along the Interstate Highway System. The Fixing America's Surface Transportation (FAST) Act, passed in 2015, called on states to nominate AFCs along their major roadways for fuels including electricity, hydrogen, propane, and natural gas. Through Rounds 1-5 of nominations, all major interstates and a portion of US-64 in Tennessee have been designated as electric AFCs and are eligible for NEVI program investments.

More information on the Program is available on the Tennessee Electric Vehicle Infrastructure (TEVI) [website](#).

B. Terms and Definitions

Please refer to the **TEVI Program Guidance Document** for a complete list of terms and definitions related to this NOFO.

C. Program Structure

The TEVI Program is a competitive grant program that will solicit applications from eligible entities interested in installing, owning, operating, maintaining, and reporting on program-funded EV charging infrastructure projects throughout the state. TDOT will select applications that meet NEVI and TEVI requirements and will provide reimbursement for eligible costs incurred by the awarded projects. The distribution of Program funds will be based on a competitive evaluation process, which will consider the criteria specified in the evaluation criteria section below.

The TEVI Program will provide up to 80% of the eligible costs associated with awarded EV charging infrastructure projects. Awardees will be required to provide a minimum of 20% non-Federal cost-share for the project.

D. Award Information

i. Total Available Funding

Tennessee will receive approximately \$88.3 million in NEVI formula funding over 5 years (FY2022-2026) to support the TEVI Program.

ii. Availability of Funds

TDOT will reimburse Awardees for actual, reasonable, and necessary costs based on the approved Project budget, not to exceed the maximum liability established in the Awardee's contract. Awardees must complete, submit, and pay all supplier invoices prior to requesting reimbursement from TDOT. During the period of performance, Awardees must request

reimbursements for eligible project costs at least once a quarter, but no more than once a month. During the charging infrastructure operations and maintenance (O&M) period, Awardees must submit reimbursements requests, with applicable reporting requirements, at least once per quarter.

Reimbursement requests for eligible project expenses must be completed within two (2) years of the Notice to Proceed 1 (NTP1). In the event a project extension is needed, Awardees may submit a written request for a no-cost contract extension to TDOT for consideration. TDOT will work with Awardees to determine the feasible amount of additional time needed to complete project work.

iii. Start Dates and Period of Performance

After the completion of the application review period, as specified in Table 1 above, subsequent program steps will be as follows:

Notice of Selection (NoS): TDOT will obligate Project funding following announcement of Program Awards and will issue a NoS to each selected Applicant, designating them as a Conditional Awardee. Following the NoS, TDOT, in cooperation with the selected Conditional Awardee, will 1) secure approval from Tennessee FHWA (project is added to STIP/TIP); and 2) complete the required NEPA process by providing TDOT any necessary information required to facilitate TDOT's completion of the required NEPA environmental clearance process.

Notice to Proceed 1 (NTP1): TDOT will issue a NTP1 following: 1) the execution of the final Award Agreement between TDOT and the Awardee; 2) confirmation that a performance bond for the Project in the amount of 25% of the maximum liability has been secured; 3) the Awardee's successful completion, and approval by TDOT, of a competitive procurement process for the selection of the Project suppliers; and 4) execution of a Site Host Agreement in the event the Awardee is not the property owner of the proposed charging infrastructure location.

Notice to Proceed 2 (NTP2): TDOT will issue a NTP2 following the completion of all Project planning activities, allowing Awardees to begin equipment purchasing and construction of the EV charging infrastructure Project.

Notice of Acceptance (NoA): Awardees will be permitted 24 months between NTP2 and the NoA to complete construction. Awardees requiring additional time must request a project time extension from TDOT. Following the successful completion of the Project work, TDOT will inspect and test the Awardee's equipment and site. TDOT will issue a Notice of Acceptance (NoA) upon confirmation that all Project work has been completed successfully, at which point Awardees can begin the Federally required five-year O&M phase.

Notice of Completion (NoC): The Awardee will operate and maintain its EV charging infrastructure for a minimum of five (5) years following infrastructure installation and commissioning. Awardees must maintain a minimum of 97% uptime during the 5-year O&M

period.¹ During the O&M period, the Awardee may submit reimbursement requests for eligible O&M expenses quarterly with the submission of required reporting documentation. A Notice of Completion (NoC) will be issued by TDOT following the successful completion of the 5-year O&M period, and after the Awardee's final reimbursement has been issued. Awardees will be required to comply with Federal Disposition requirements in 2 CFR 200.313(e) following the completion of the 5-year O&M period.

iv. Awards

TDOT expects to fill as many TEVI Program AFC infrastructure gaps as possible in Phase I of the TEVI Program implementation.

III. Eligibility Information

Eligible Applicants

Eligible applicants under the TEVI Program include:

- i. Corporations, partnerships, companies, or nonprofit organizations authorized to do business in the State of Tennessee
- ii. Local power companies or other utilities in the state of Tennessee
- iii. Governmental entities, including local governments or higher education institutions
- iv. Tribal organizations (as defined in [Title 25 US Code Section 5304 \(I\)](#)).

Upon selection and designation as a Conditional Awardee, entities must register as a business in the State of Tennessee.² Registration is not required for the application process.

Eligible Projects

TEVI Program funds will be allocated to support EV charging infrastructure along Tennessee AFCs that will be accessible to the public and that will meet all Federal and State requirements outlined in this NOFO. The primary objective of the TEVI Program Phase I will be to award funding to construct, operate, maintain, and report on EV charging infrastructure that complies with NEVI standards. For more information on existing AFC infrastructure gaps and areas of priority, interested Applicants should refer to the [TEVI Evaluation Zone Map](#).

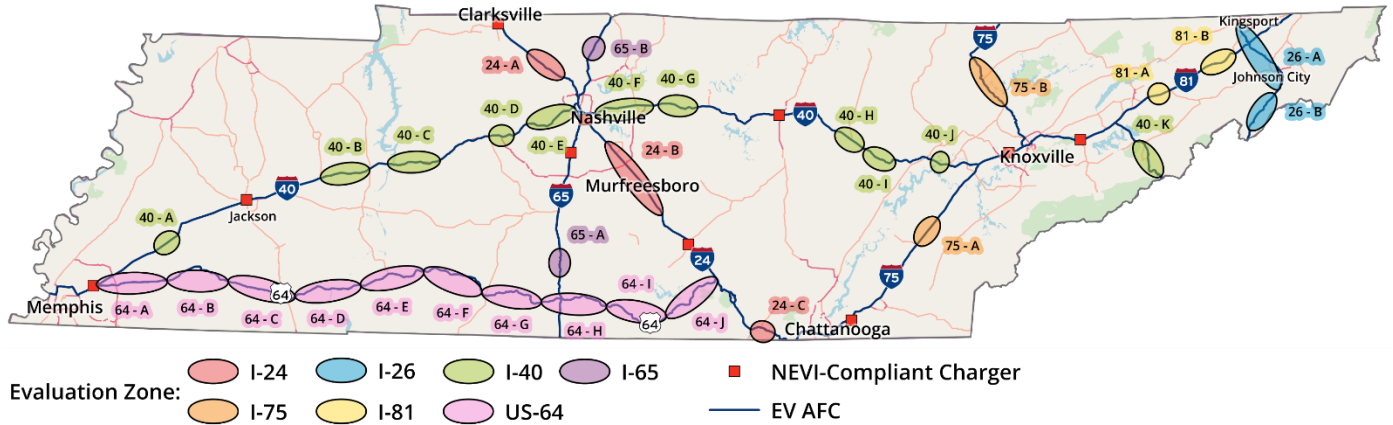
Applicants are required to complete an Application Packet for each proposed charging infrastructure location within an existing AFC infrastructure gap. There is no restriction on the number of project sites that an applicant can propose in response to this solicitation.

¹ NEVI Final Rule uptime requirement: <https://www.federalregister.gov/d/2023-03500/p-431>

² [TNTAP](#)

Along the seven (7) EV AFCs, there are a total of 32 zones within which applicants should identify locations for proposed EV charging infrastructure installation.

i. Evaluation Zones Map and Eligible Exits



AFC	Evaluation Zone	A	B	C	D	E	F	G	H	I	J	K
I-24	Evaluation Zone											
	Eligible Interstate Exits	19, 24, 31, 35	64, 66, 70, 76, 78, 80, 81, 84, 89, 97	152, 155, 158, 161								
I-26	Evaluation Zone	A	B									
	Eligible Interstate Exits	1, 3, 4, 6, 10, 13, 17, 19, 20, 22, 23, 24, 27, 32	34, 36, 37, 40, 43, 46, 50									
I-40	Evaluation Zone	A	B	C	D	E	F	G	H	I	J	K
	Eligible Interstate Exits	42, 47, 52	108, 126	133, 137, 143, 148, 152	172, 182	188, 192, 196, 199, 201, 204, 205, 207, 209	216, 221, 226, 232, 236, 238	239, 245, 254	311, 317, 320, 322	329	350, 352, 355, 356	432, 435, 440, 447, 451
I-65	Evaluation Zone	A	B									
	Eligible Interstate Exits	22, 27, 32	104, 108, 112									
I-75	Evaluation Zone	A	B									
	Eligible Interstate Exits	49, 52, 56, 60	122, 128, 129, 134, 141, 144									
I-81	Evaluation Zone	A	B									
	Eligible Interstate Exits	15, 23	36, 44, 50									
US-64	Evaluation Zone	A	B	C	D	E	F	G	H	I	J	
	County Designation Points	Shelby 8.69 - Fayette 17.47	Fayette 17.47 - Hardeman 15.88	Hardeman 15.88 - McNairy 16.07	McNairy 16.07 - Hardin 13.42	Hardin 13.42 - Wayne 16.34	Wayne 16.34 - Lawrence 15.69	Lawrence 15.69 - Giles 15.32	Giles 15.32 - Lincoln 15.29	Lincoln 15.29 - Franklin 6.62	Franklin 6.62 - Grundy 0.36	

Table 2: Tennessee AFC Route and Evaluation Zone Summary

Route	Number of Evaluation Zones
I-24	3
I-26	2
I-40	11
I-65	2
I-75	2
I-81	2
US-64	10
Total	32

Submission Requirements

Applicants must complete the TEVI Program Application Packet and email completed applications to TDOT.TEVI@tn.gov no later than 6:00P.M. (ET) on November 1, 2023. Application packets must be submitted in PDF format with the following subject line naming convention: ApplicantName_EvaluationZone_TEVI_Application

Eligible and Ineligible Costs

Awardees will not be reimbursed for any costs, nor be eligible to cite Project cost-share, for expenses incurred prior to TDOT's issuance of an Awardee's NTP1. Any expenses deemed ineligible under the [NEVI Program Final Rule](#) will not be reimbursed. All awardees will be required to comply with Federal Program Income requirements in 23 CFR 680.106(m), Per 2 CFR 200.307.

i. TEVI Program Eligible Costs and Cost-Sharing Requirements

Eligible, reimbursable expenses under the TEVI Program must be directly related to the acquisition and installation of EV charging infrastructure; development phase activities related to the acquisition or installation of EV charging infrastructure; or costs associated with O&M of EV charging infrastructure (for up to five (5) years following infrastructure installation and commissioning). Eligible expenses may include:

- i. Costs for pre-construction work including environmental clearance documents, planning, design, and permitting;
- ii. Costs of minor grid updates (work necessary to connect charging infrastructure to the electric grid distribution network) including costs for minor extensions or upgrades to existing power lines or costs to acquire and install on-site electric service equipment (e.g., power meter, transformer, switch gear), as well as shipping fees and applicable taxes;
- iii. Costs to procure and install new NEVI-compliant EV charging infrastructure related hardware and software;
- iv. Costs to procure and install, repair, upgrade, or replace existing EV charging infrastructure to meet NEVI minimum standards and requirements, including costs to upgrade existing EV charging infrastructure to meet ADA requirements;
- v. Construction costs for EV charging infrastructure installation (as defined under 23 U.S.C. 101(a)(4)), including site restoration after installation, directly related to the EV charging infrastructure;
- vi. Signage and costs to install onsite signage for user wayfinding to the EV charging infrastructure;
- vii. O&M costs (for no less than five (5) years after EV infrastructure installation and commissioning) (e.g., networking fees);

- viii. Insurance (required) for all EV charging infrastructure; or
- ix. Costs for construction project management directly related to the EV charging infrastructure.

ii. **Ineligible Costs and Cost-Sharing**

Any expenses not explicitly considered by TDOT as directly associated with the acquisition, installation, operation, and/or maintenance of EV charging infrastructure will be considered ineligible costs for purposes of this program. The following examples serve as references for some of the expenses that fall under this category:

- i. Expenses incurred before TDOT issues the Notice to Proceed 1 (NTP1);
- ii. Expenses associated with the construction or general maintenance of buildings and parking facilities, unless directly linked to the charging of vehicles;
- iii. Variable operating and maintenance costs for EV charging infrastructure, including the cost of electricity, staffing, and other recurring business expenses;
- iv. Costs for significant upgrades to the power grid, such as extensive line extensions, improvements to offsite power generation, bulk power transmission, or infrastructure;
- v. Expenses covered by existing programs or tariff rules provided by electric utilities;
- vi. Costs for obtaining development entitlements (permits) from local city or county authorities; and
- vii. Expenses related to studies or research projects.

IV. Federal and State NEVI Program Minimum Requirements

A. Federal NEVI Program Statutory Standards and Requirements

Please refer to the **TEVI Program Guidance Document** and the NEVI Final Rule ([23 CFR 680](#))

B. TEVI Program Requirements

i. **Award Agreement**

Applicants that apply for funding under the TEVI Program are required to execute an Award Agreement with TDOT and comply with all Federal and State requirements. Applicants who fail to execute Award Agreements with TDOT will not be eligible for funding under the Program.

ii. **Reporting**

TEVI Program Awardees must adhere to both Federal and State reporting requirements outlined in the NEVI and TEVI Programs, respectively. These reporting obligations involve various types of reports, including but not limited to quarterly, annual, and one-time reports. At a minimum,

Awardees must comply with the NEVI Final Rule reporting requirements ([23 CFR 680](#)). A detailed list of reporting requirements will be outlined in Awardee Agreements.

iii. [Cybersecurity Plan](#)

TEVI Program Awardees will be required to submit, upon Award Agreement execution, a comprehensive cybersecurity plan for Projects. A cybersecurity template will be provided to Conditional Awardees and will be finalized prior to Award Agreement execution. Cybersecurity plans will require annual updates and approvals by TDOT.

V. Application Submission Procedures

A. NOFO Program Schedule

See **Table 1**, TDOT NOFO Program Milestones, above.

VI. Application Evaluation

A. Evaluation Process

TDOT has established a fair and consistent application evaluation process for this competitive grant program, ensuring compliance with relevant Federal and State laws. The following are the three steps in the Application evaluation process. Once the Application passes the Application Completeness Review (stage 1), it is moved to the Application Minimum Requirements Pass/Fail Assessment (stage 2). If the Application passes stage 1 and stage 2, it is scored in stage 3.

i. [Stage 1: Application Completeness Review](#)

Stage 1 of the evaluation process involves conducting a thorough Application Completeness Review. During this phase, applications will be carefully examined to verify the completeness of all required materials including a detailed Project budget (included in the Application Packet). Any applications found to be incomplete will be rejected, without undergoing further assessment by TDOT.

ii. [Stage 2: Application Minimum Requirements Pass/Fail Assessment](#)

Stage 2 of the evaluation process includes an assessment of the applications against the Minimum Requirements Pass/Fail criteria. This evaluation aims to determine whether the applications meet all the necessary Federal and State Program requirements. Applicants are advised to consult the **TEVI Guidance Document** for detailed information regarding the NEVI Program's Minimum Requirements. Failure to meet the assessment criteria will lead to the rejection of the application without further review or scoring.

iii. Stage 3: Application Scoring Criteria Evaluation

Stage 3 of the evaluation process includes the competitive scoring of the project against competing applications within the same Evaluation Zone.³ Stage 3 includes an analysis of each application’s responsiveness to budget and cost evaluation criteria, as well as qualifications and qualitative evaluation criteria. **Table 3** details the TEVI Program scoring criteria related to budget and cost evaluation, which comprises 30% of an applicant’s total possible score.

Table 3: TEVI Program Budget and Cost Scoring Criteria

Application Evaluation Criteria			
Category	Description	Points Possible	Responsiveness Criteria
Cost Proposal and Project Budget	Application provides a detailed budget that is reasonable, sufficient, and cost effective.	60	Application budget provides detail and justification, is reasonable, is sufficient to achieve the project, is cost-effective, and meets or exceeds the minimum non-federal cost share requirements.
TOTAL POSSIBLE POINTS		60 / 60	

Table 4 outlines the TEVI Program qualifications and qualitative evaluation criteria, which comprises 70% of an applicant’s total possible score.

Table 4: TEVI Program Qualifications and Qualitative Scoring Criteria

Application Evaluation Criteria			
Category	Description	Points Possible	Responsiveness Criteria
Amenities	Project site location maximizes the number of amenities accessible on site or within safe walking range.	20	Includes amenities for users of EV charging infrastructure including, but not limited to, 24/7 public restrooms, dine-in restaurants, and convenience stores.
Future Proofing & Innovation	Application incorporates design features that facilitate the needs of future EV motorists and commercial fleet operators.	20	Designed to accommodate future expansion with minimal cost. Including, but is not limited to, pull-through charging design (for larger vehicles), higher power level per port, higher number of ports, and conduit for additional, future EV charging infrastructure locations.

³ [Tennessee NEVI - Anticipated Funding \(arcgis.com\)](https://arcgis.com)

Application Evaluation Criteria			
Category	Description	Points Possible	Responsiveness Criteria
Justice40	Application incorporates Justice40 program equity benefits.	20	Located in a Federally defined disadvantaged community (DAC) or that clearly outlines plans for including and/or benefitting DACs as defined by Justice40.
Long-Term Stewardship	Application outlines an effective plan for long-term stewardship	15	Application includes a 5-year operations and maintenance (O&M) plan, and long-term stewardship strategy.
Project Site Readiness	Project site is readily able to receive environmental clearance, has existing or easily upgraded access to utility power, or is a site with existing EV charging station.	20	Low environmental impact, ready availability or low efforts required for sufficient electric power service, pre-planning work underway with local jurisdictions, and sites with existing EV charging infrastructure (only requiring an upgrade).
Project Team Experience	Project team includes individuals or entities experienced in EV charging infrastructure projects	15	Lead applicant has administered Federal projects, contractor has qualifications, and site host has experience operating and maintaining EV charging infrastructure.
Safety (physical and cybersecurity)	Application includes an effective plan for both cybersecurity and physical security	20	Application includes a detailed plan for addressing physical safety at the site, a clearly defined cybersecurity approach, and a cybersecurity plan framework.
Workforce Development	Application outlines a plan to support Tennessee workforce development	10	Application includes a strategic, narrativized, approach for workforce development support around EV charging infrastructure deployment in Tennessee.
TOTAL POSSIBLE POINTS		140 / 140	

Applications that include detailed information on all the items requested in each of the categories in **Table 3** and **Table 4** will receive higher ratings. Additional guidance on how to create a competitive application can be found in the **TEVI Guidance Document**.

B. Reservation of Rights

TDOT, as the administrator of the TEVI Program and NEVI Formula Funding, retains the following rights at its discretion:

- i. To adjust the number of anticipated awards, either increasing or decreasing them;

- ii. To cancel an Award at any point prior to the issuance of the Notice to Proceed without incurring any liability;
- iii. To gather or obtain data from any relevant source that can enhance the understanding and evaluation of the applications;
- iv. To waive weaknesses, discrepancies, informalities, omissions, or minor irregularities found in an application, and to request and receive clarifications regarding the application; or
- v. To grant funds to a different applicant if the initially awarded applicant is unable or unwilling to complete the site and achieve commissioned status.