



Kentucky's National Electric Vehicle Infrastructure (NEVI) Program

Round 4

May 29, 2026



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Definition List

For further guidance on any technical definitions, Proposers should reference [23 Code of Federal Regulations \(CFR\) 680](#).

ADA-Accessible Electric Vehicle Charging Stations: The American with Disabilities Act of 1990 (ADA) and implementing regulations apply to electric vehicle (EV) Charging Stations. EV Charging Stations must comply with applicable accessibility standards adopted by the U.S. Department of Transportation into its ADA regulations (49 CFR part 37). In September 2024, the Architectural and Transportation Barriers Compliance Board published its [Proposed Rule for Electric Vehicle \(EV\) Charging Stations](#). Until any formal rules are proposed and finalized, the Kentucky Transportation Cabinet (KYTC) is requiring that at least one pedestal be designed and constructed according to U.S. Access Board recommendations to demonstrate ADA compliance and optimize usability for persons with disabilities. See requirements at the [Access Board website](#).

Alternative Fuel Corridors: A portion of the U.S. highway system designated as EV charging corridors by the Federal Highway Administration (FHWA) pursuant to 23 United States Code (U.S.C.) 151. See [Alternative Fuel Corridors – FHWA](#).

Award: An act of KYTC that indicates its intent to enter into an agreement between two parties to successfully execute an EV charging site.

Charging Station: The area in the immediate vicinity of a group of chargers, including the chargers, supporting equipment, parking areas adjacent to the chargers, and lanes for vehicle ingress and egress. It is anticipated that a Charging Station may comprise only a part of the property on which it is located.

Direct Current Fast Charging: A type of EV Charging Station that uses direct current and can charge a typical light-duty-battery EV to 80 percent capacity in approximately 20 to 40 minutes.

Electric Vehicle Supply Equipment: A device that transfers and controls the power supply between site electricity infrastructure and an EV.

Level 2 Charging: A type of EV Charging Station that operates on a circuit from 208 volts to 240 volts and transfers alternating-current (AC) electricity to a device in an EV that converts alternating current to direct current to recharge an EV battery.

Maximum Total Project Reimbursement: The maximum reimbursement allowable, in dollars and as capped by the requested Proposer Cost Share, for the project.

Preferred Proposer: A Proposer whose proposal offers the best value to KYTC as assessed through the evaluation criteria and scoring described in the RFP and enables KYTC to optimally deploy an EV network in compliance with NEVI Requirements; and whose proposal responds to all specifications and requested materials set forth in the RFP; and contains no irregularities or deviations from specifications that would affect the amount of the Cost Proposal or otherwise give the Proposer a competitive advantage; and whose experience, financial condition, conduct and performance on previous projects indicates the Proposer's ability to execute and perform under the PA.

Project Agreement (PA): The written contract setting forth the terms and conditions by which the Project is to be conducted and executed by the successful Proposer pursuant to this RFP and KYTC.

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Project Site: Location where one or more Charging Stations are installed. A Project Site may contain both a NEVI Charging Station and a non-NEVI Charging Station.

Proposer: The entity that has signed and submitted the proposal to this request for proposal (RFP) and who will be responsible for providing the goods and services specified in this RFP if Award is granted by KYTC. A proposer can represent Joint Ventures between two or more entities.

Proposer Cost Share: A non-federal funding source that the Proposer must commit to the project as its share of the overall eligible project costs. For the National Electric Vehicle Infrastructure (NEVI) Formula Program, the Proposer Cost Share is at least 20 percent, but Proposers can propose a higher cost share in their Cost Proposal.

Site Host: The owner or owners of the Project Site who can legally enter into agreement(s) with the utility provider(s), Charging Station operator(s), and EV charging site Developer(s).

Total Obligation: An amount equal to the Maximum Total Project Reimbursement.

Zone: KYTC term referring to the area where a Proposer can propose to construct a NEVI-compliant Charging Station Project Site.

1. Overview

1.1 Background

Congress passed the Bipartisan Infrastructure Law (BIL), also referred to as the Infrastructure Investment and Jobs Act (IIJA), on November 15, 2021, which included the National Electric Vehicle Infrastructure (NEVI) Formula Program. The NEVI Formula Program provides dedicated funding to construct electric vehicle supply equipment (EVSE) across the state of Kentucky, establishing a Charging Station network. Funding for all agreements resulting from this request for proposal (RFP) will be paid entirely from the NEVI Formula Program.

Kentucky was allocated approximately \$70 million in EV charging formula funds across federal fiscal year (FFY) 2022–2026. At the time of this RFP's release, approximately \$55 million from FFY 2022–2025 had been obligated to the state under the NEVI program. Final Award amounts for this round will be based on the available balance at the time of Award. The Kentucky Transportation Cabinet (KYTC) is the designated administrator of the funds for the state. These funds are provided to selected stations on a reimbursement basis and require a minimum 20 percent non-federal match.

1.2 Introduction

The KYTC Division of Purchases has issued this RFP for the Commonwealth of Kentucky's (Commonwealth) Electric Vehicle (EV) Charging Program to solicit proposals from qualified entities (Proposers) to participate in the deployment of direct current fast charging (DCFC) infrastructure across the state that complies with NEVI program requirements. This RFP is issued as a competitive negotiation pursuant to 200 KAR 5:307 and subject to 23 CFR 636. KYTC's goal is to fund EVSE deployments to strategically support the development of convenient, accessible, reliable, and equitable EVSE infrastructure in the Zones designated in this RFP. Funding awarded from this RFP may be used for updates to existing EVSE and the development of new Charging Stations. Both existing and new stations must be sited in the 32 KYTC-identified Zones. See Section 4.3 and Figure 4-1 for details about the Zones.

This RFP outlines the process by which Proposers can submit proposals for one or more Project Sites. KYTC will evaluate proposals based on established evaluation criteria and award Contracts to selected Proposers. To receive NEVI funds, selected Proposers must execute a Contract in the form of a Project Agreement (PA) with KYTC and agree to PA Terms and Conditions in relation to a particular Project. As per the PA Terms and Conditions, selected Proposers agree to serve as private-sector partners (Developers) for a Project located at a Project Site.

KYTC intends to award one Project Site in each Zone. KYTC will evaluate Project Sites in each Zone on its own merits and award Project Sites that offer best value to KYTC while meeting the requirements of this RFP, the EV Plan, and existing and future NEVI Requirements. KYTC will evaluate and award Project Sites in accordance with the process described in Section 6. This process may result in KYTC awarding more than one Project Site to the same Proposer. This RFP focuses on design, construction, acquisition, installation, operations, maintenance, data reporting, and ownership of EVSE infrastructure at locations in the Zones. KYTC is providing reimbursement funds to eligible Proposers as defined in Section 3.1. KYTC will not own, operate, or maintain any EVSE, and the EVSE infrastructure and Project Sites will not be located in state-owned right-of-way. Developers will also not be required to "handback" any Project or any portion thereof to KYTC at the end of the Contract term.

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This RFP includes requirements for DCFC equipment, Project Site selection, design, installation, operations and maintenance (O&M), and reporting. In addition, the RFP includes information about the process by which competitive selections will be awarded, funding match levels and requirements, project eligibility, funding priorities, activities eligible for reimbursement, and other information that will help Proposers plan their project and submit a proposal.

1.2.1 Terms

For the purpose of this RFP, the following terms may be used interchangeably, and may be capitalized or uncapitalized:

- Project Agreement, PA, Contract.
- Proposer or Offeror.
- Developer, Contractor, Provider, or Vendor.
- Commonwealth Buyer, Buyer, Purchaser, or Contract Officer.
- RFP, Solicitation, or Procurement.
- Bid, Proposal, or Offer.
- Commonwealth of Kentucky, Commonwealth, or State, Agency, Kentucky Transportation Cabinet.
- Fiscal Year will be defined as the Commonwealth fiscal year: July 1 through June 30.
- Biennium will be defined as the Commonwealth biennium: July 1 of each even numbered year through June 30 of the next even numbered year.
- **Requirements that include the words “Shall”, “Will”, “Must” indicate a mandatory requirement.**

1.2.2 KYTC EV Infrastructure Goals

The Commonwealth’s EV infrastructure goals are to develop:

1. A corridor-based EV charging system that supports interstate and regional travel;
2. A local EV ecosystem that serves Kentucky’s communities and travelers;
3. A comprehensive system that supports transportation choices for all of Kentucky’s residents;
4. An interconnected, reliable, and resilient vehicle fueling system that can adapt to changes in market conditions and transportation technologies; and
5. A transportation system that reduces emissions and promotes clean air in Kentucky.

KYTC’s goals specific to this RFP are to:

1. Attract multiple Proposers with proven knowledge and experience in EV charging;
2. Encourage self-sufficiency during design, construction, and operation of the EV Network while ensuring federal compliance and performance;
3. Expand Kentucky’s EV charging network in accordance with the NEVI Formula Program Guidance as updated on August 25, 2025 and the National Electric Vehicle Infrastructure Standards and Requirements, Final Rule, Code of Federal Regulations Section 23, Part 680 (23 CFR 680) issued on February 15, 2023 (collectively, NEVI Requirements), and other requirements set forth by KYTC pursuant to the laws of the Commonwealth; Continue to deploy new EV charging stations in locations across Kentucky including along on key highway corridors and in urban and rural areas of the state; and Select Projects, and Preferred Proposers, that are likely to remain viable beyond the five-year funding period offered by NEVI Formula Program.

2. Attachments and Reference Documents

2.1 Attachments

The following attachments are incorporated into and made part of this RFP by reference. KYTC reserves the right to amend these attachments prior to the close of the RFP. KYTC will issue any necessary addendums at [Kentucky's Vendor Self Service website](#) (see Sections 5.3 and 5.4).

- Attachment 1: Technical Requirements
- Attachment 2: Scope of Work
- Attachment 3a: Administrative Proposal Form
- Attachment 3b: Affidavit for Bidders and Offerors
- Attachment 4a: Technical Proposal Form
- Attachment 4b: Proposed Project Schedule
- Attachment 5: Cost Proposal Form
- Attachment 6: Site Host Owner Letter of Intent
- Attachment 7: Draft Project Agreement
- Attachment 8: Acknowledgement of FHWA Form 1273
- Attachment 9: Davis-Bacon and Related Acts Locally Prevailing Wage Rates
- Attachment 10: Example Letter of Credit
- Attachment 11: Utility Data Request Form
- Attachment 12: Transmittal Letter Requirements

2.2 Reference Documents

Proposers are urged to conduct their due diligence relating to the NEVI Formula Program and the federal, state, and local laws and regulations that apply to this funding. The following reference documents are available; this is not an exhaustive list:

- [National Electric Vehicle Infrastructure Standards and Requirements](#)
- [FHWA NEVI Program Frequently Asked Questions](#)
- [Standardized Protocol for Real-Time APIs s Required by Title 23 CFR 680.116\(c\)](#)
- [Kentucky's EV Charging Program website](#)

3. Proposer Eligibility

3.1 Eligible Proposers

All eligible Proposers must be licensed to do business in Kentucky prior to proposing. Eligible Proposers for this funding opportunity include but are not limited to:

- For-profit businesses
- Privately owned electric utilities
- Non-profit organizations
- Governmental entities (except state agencies)
- Municipal utilities
- Electric membership cooperative utilities
- Teaming partnerships that include the above eligible entities

A clear primary Proposer and point of contact are required.

3.2 Ineligible Proposers

Ineligible Proposers include the following:

- State agencies
- Entities or individuals who are currently suspended or debarred by the state or federal government

3.3 Proposal Limitations and Requirements

Each proposal can include only one charging Project Site, and Proposers may submit only one proposal per Zone. However, proposers may submit proposals for more than one Zone. Proposals for locations outside the identified 32 Zones will not be accepted.

4. Eligible Projects

4.1 Project Requirements

The Project must include a minimum of four ports, and at least two of the ports must be DCFC ports. For example, the charging Project Site could have 2 DCFC ports and 2 Level 2 ports, or the charging Project Site could have 4 DCFC ports and no Level 2 ports. All DCFC ports must be capable of continuous charging at 150 kW concurrently. If Level 2 ports are incorporated into the project, they must be capable of continuous charging at a minimum of 6 kW concurrently. Review the links and other requirements in **Attachment 1 – Technical Requirements** and in **Attachment 2 – Scope of Work** very carefully prior to submitting a response to this RFP. Projects must comply with all requirements and provide all deliverables in this RFP, including the requirements, tasks, and deliverables in Attachment 1 and Attachment 2. Proposers are responsible for thoroughly reviewing and understanding all Project requirements prior to submitting proposals.

Funding for any Project Agreement resulting from this RFP will be paid using Title 23 funds. Therefore, all applicable requirements of [Title 23 United States Code \(U.S.C\)](#) and [2 Code of Federal Regulations \(CFR\) part 200](#) apply to the administration of these funds. This includes [23 CFR 680](#), the [Davis-Bacon Act](#), the [Americans with Disabilities Act](#) (ADA), [Title VI of the Civil Rights Act of 1964](#), the [National Environmental Policy Act of 1969](#) (NEPA), the [Buy America requirements](#), and the [Build America, Buy America Act](#) (BABA), as applicable. In addition to these requirements, the Developer must comply with all other applicable federal, state, and local laws, standards, and requirements. All relevant terms in the RFP are assumed to be the definitions as defined in [23 CFR 680](#).

For BABA compliance, EVSE funded under any Project Agreement resulting from this RFP must be assembled in the United States and at least 55 percent of the cost of all components must be made in the United States. EVSE housing that is predominantly steel or iron must still meet current Buy America requirements. **In addition, all utility equipment and materials permanently incorporated into the project, MUST be BABA compliant, regardless of who pays for the utility upgrades and who owns the equipment.**

Disadvantage Business Enterprise (DBE) requirements do not apply to NEVI program funds. Project Site Awards and the execution of agreements will not be subject to DBE goals.

The Developer will be required to provide at least a 20 percent contribution (Proposer Cost Share) in non-federal dollars to the overall eligible project costs, which will be authorized by a Project Agreement between the Developer and KYTC. KYTC will not contribute state funds.

4.2 Buy America and BABA Compliance

4.2.1 Manufactured Products

[Per the final Rule for Buy America Requirements for Manufactured Products](#), manufactured products must meet Buy America requirements. The requirement is that “manufactured products used and permanently incorporated in such project are produced in the United States.” Manufactured Products are defined in 23 CFR 635.410(c). The term “produced in the United States”, in the case of manufactured products, means:

1. for projects obligated on or after October 1, 2025, the product was manufactured in the United States; and

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2. for projects obligated on or after October 1, 2026, the product was manufactured in the United States and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product.

For the purpose of this RFP, the intent is for project funds to be obligated after October 1, 2025, but before October 1, 2026.

The following U.S. Department of Transportation (USDOT) waivers are available for use on this project:

4.2.2 Iron and Steel De Minimis Costs Waiver

The [iron and steel de minimis costs waiver](#) applies to projects funded under this RFP. A minimal use of iron or steel products that are not Buy America compliant are allowed to be used in the project, if the costs of such materials used does not exceed one-tenth of one percent (0.1 percent) of the total contract cost or \$2,500, whichever is greater. Specifically, the cost is the one shown to be the value of the steel and iron products as they are delivered to the project. **This waiver does not apply to EVSE.**

4.2.3 Construction Materials De Minimis Costs Waiver

The de minimis costs portions of the [USDOT waiver of Buy America requirements for de minimis costs and small grants](#) applies to projects funded under this RFP and waives the requirements of BABA for construction materials and manufactured products under a single financial assistance award when the total value of the non-compliant products is no more than the lesser of \$1,000,000 or 5 percent of total applicable costs for the project. This portion of the waiver does not waive the Federal Highway Administration's (FHWA) Buy America requirements for steel or iron, and FHWA continues to apply its Buy America requirements to projects that would otherwise be covered by the de minimis portion of the waiver. For a single financial award, the threshold amount is the lesser of \$1,000,000 or 5 percent of total applicable costs for the project. The 5 percent threshold is based on the following formula: total value of non-compliant construction materials and manufactured products used in the project / total applicable project costs (steel, iron, manufactured products, and construction materials). This threshold is based on the actual cost of the steel, iron, manufactured products, and construction materials, not just the anticipated cost of those materials. **This waiver does not apply to EVSE.**

4.3 NEVI Zones

For this RFP, KYTC has identified 32 Zones, separated into 3 types: corridor, urban, and rural. The Zones are listed in Table 4.1 and illustrated in Figure 4.1. **A GIS map with detailed boundaries of each Zone can be found on [Kentucky's EV Charging Program website](#). The GIS map should be used by proposers to determine which Zone a specific Project Site is located in.** A Project Site is considered to be in a Zone if any portion of the parcel is located in the Zone.

KYTC has also identified areas where proposals will not be accepted. These areas are shown on Figure 4.1 as areas not included in this RFP and they are not part of the 32 Zones in the GIS file.

Proposers are responsible for identifying and coordinating with the appropriate utility provider: [Kentucky Electric Service Areas](#).

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Table 4-1. Zones

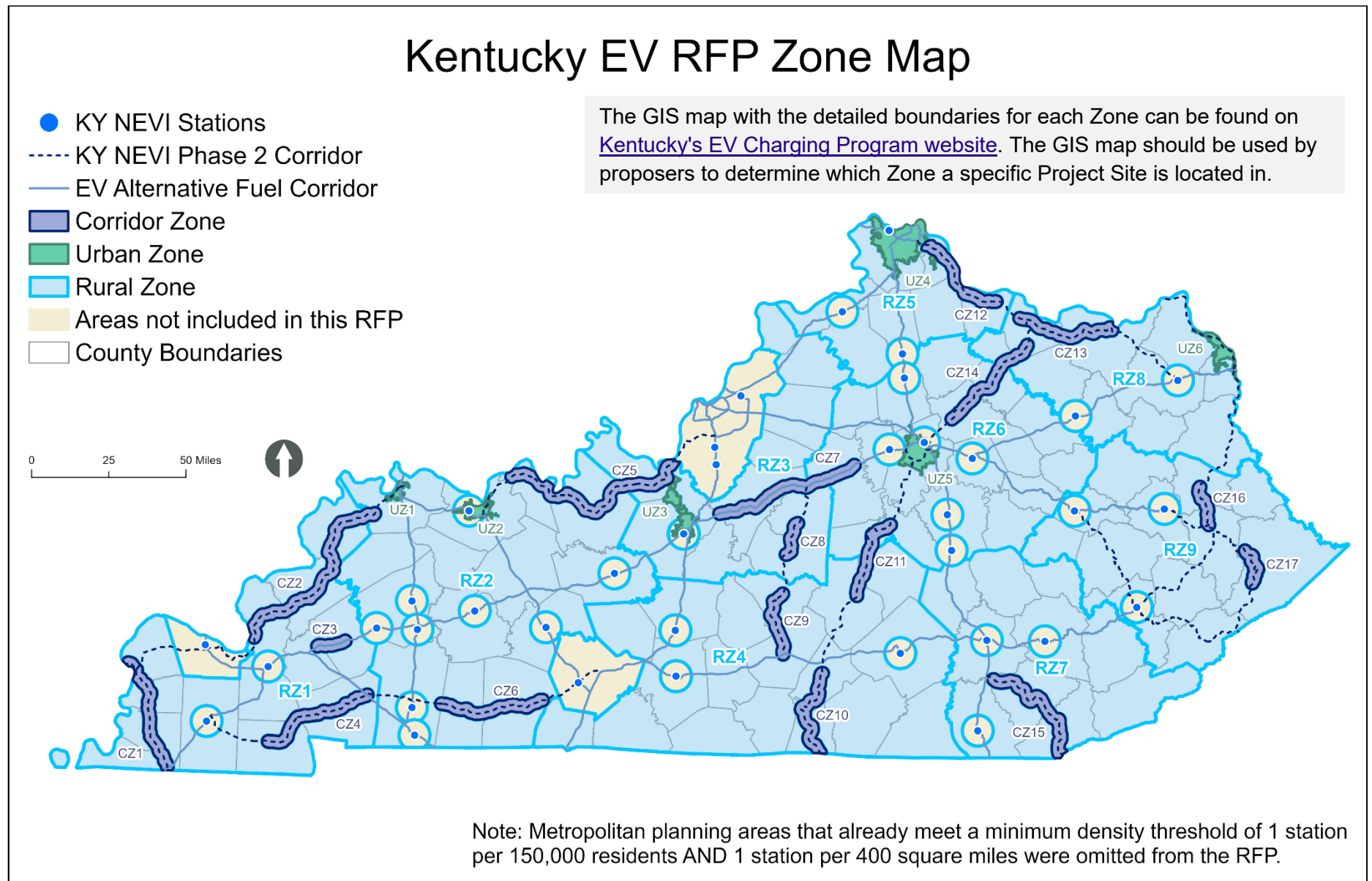
Type	Name	Description
Corridor	CZ1	US 51 between Tennessee border and Illinois border
	CZ2	US 60 between Smithland and Waverly
	CZ3	I-69 between exit 71 and exit 81
	CZ4	KY 80 and/or US 68 between Murray and I-24
	CZ5	US 60 between Lewisport and West Point
	CZ6	US 68 between Fairview and Auburn
	CZ7	Bluegrass Parkway between exit 10 and exit 59
	CZ8	KY 55 between Lebanon and Springfield
	CZ9	KY 55 between Columbia and Campbellsville
	CZ10	US 127 between Tennessee border and Jamestown
	CZ11	US 127 between Middleburg and Danville, KY-34 between Danville and US-27
	CZ12	AA Highway between Wilder and Augusta
	CZ13	AA Highway between Maysville and Vanceburg
	CZ14	US 68 between Paris and Mays Lick
	CZ15	US 25E between Tennessee border and Corbin
	CZ16	US 23 between Prestonsburg and Paintsville
	CZ17	US 23 through Pikeville
Urban	UZ1	Henderson, Kentucky urbanized area
	UZ2	Owensboro, Kentucky urbanized area
	UZ3	Elizabethtown-Radcliff, Kentucky urbanized area
	UZ4	Kentucky side of the Cincinnati, Ohio-Kentucky urbanized area
	UZ5	Lexington-Fayette, Kentucky urbanized area
	UZ6	Kentucky side of the Huntington, West Virginia, Kentucky, Ohio and the Portsmouth, Ohio-Kentucky urbanized areas
Rural	RZ1	Ballard, Caldwell, Calloway, Carlisle, Crittenden, Fulton, Graves, Hickman, Livingston, Lyon, Marshall, Trigg, and Union Counties
	RZ2	Breckinridge, Butler, Christian, Daviess, Grayson, Hancock, Henderson, Hopkins, Logan, McLean, Muhlenberg, Ohio, Todd, and Webster Counties
	RZ3	Hardin, Henry, Larue, Marion, Meade, Nelson, Shelby, Spencer, Trimble, and Washington Counties
	RZ4	Adair, Allen, Barren, Casey, Clinton, Cumberland, Edmonson, Green, Hart, Lincoln, McCreary, Metcalfe, Monroe, Pulaski, Russell, Simpson, Taylor, and Wayne Counties
	RZ5	Boone, Bracken, Campbell, Carroll, Gallatin, Grant, Kenton, Owen, and Pendleton Counties
	RZ6	Anderson, Bath, Bourbon, Boyle, Clark, Estill, Fayette, Franklin, Garrard, Harrison, Jessamine, Madison, Menifee, Mercer, Montgomery, Nicholas, Powell, Scott, and Woodford Counties

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Type	Name	Description
	RZ7	Bell, Clay, Harlan, Jackson, Knox, Laurel, Leslie, Owsley, Rockcastle, and Whitley Counties
	RZ8	Boyd, Carter, Elliott, Fleming, Greenup, Lawrence, Lewis, Mason, Robertson, and Rowan Counties
	RZ9	Breathitt, Floyd, Johnson, Knott, Lee, Letcher, Magoffin, Martin, Morgan, Perry, Pike, and Wolfe Counties

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Figure 4-1. Kentucky Zones – Round 4



4.4 Eligible Costs

A Project Site may contain both a NEVI Charging Station and a non-NEVI Charging Station. NEVI Charging Stations must be compliant with [23 CFR 680](#) and the entirety of this RFP. Proposals will be evaluated on the NEVI Charging Station(s) and related amenities, as outlined in this RFP. Developers will be reimbursed only for NEVI Charging Station related costs and required utility upgrades per this RFP. When ports and stations are referenced in this RFP, they refer only to NEVI ports and NEVI Charging Stations, unless otherwise specified.

Developers will be reimbursed for eligible costs according to the submitted **Attachment 5 - Cost Proposal Form**. Proposers may apply for up to 80 percent federal cost share of the eligible costs, with a minimum required match of 20 percent from non-federal sources. The remaining project costs (non-eligible costs) are the Proposer's responsibility. Non-eligible costs may not be included in any Cost Proposal Form and may not be counted toward the minimum 20 percent non-federal match.

Eligible costs are expenses defined to be eligible under [23 CFR 680](#) and its guidance as expenses directly related to deployment and operation of EV charging infrastructure. To be considered directly related to vehicle charging operations, items must be a necessary component in the EVSE station operations, be a necessary component to connect the EVSE station to the electricity source (or to supply power from the electricity source), enable management of electricity demand or backup power (if applicable), provide eligible signage to direct EV users to the Charging Station, or provide information to EV users about Charging Station use. This includes costs of new public EVSE Charging Stations and upgrades to existing EVSE Charging Stations.

4.4.1 Demand Charges and Battery Energy Storage Systems

KYTC encourages all Proposers to complete thorough due diligence for potential demand charges specific to each proposed Project Site. Demand charges in some utility provider areas can be high in comparison to standard electric utility rates. Proposers are encouraged to consider incorporating battery energy storage systems (BESS) into projects to help reduce potential demand charges. BESS are eligible costs, and up to 80 percent of capital costs can be reimbursed. Per the scoring criteria in Section 6.4.2, additional points will be awarded for the incorporation of BESS into projects.

In addition to considering the incorporation of BESS into Projects, KYTC will provide up to \$150,000 in reimbursement for demand charges over the life of the project to each awarded project. The \$150,000 represents the full 80 percent that is eligible for reimbursement. Developers will be required to provide proof of the incurred demand charges and proof of payment to receive the demand charge reimbursement. Demand charges will not be used to calculate a proposal's Cost Proposal score.

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4.4.2 Examples of Eligible Costs

Examples of eligible costs include but are not limited to:

Capital costs:

1. Payments to third-party project contractors, Site Hosts, and the like as part of an established agreement
2. **Battery storage equipment and installation related directly to Charging Station infrastructure**
3. Construction costs (as defined under 23 U.S.C. 101(a)(4)) related directly to EV Charging Stations
4. Costs to procure, install, repair, upgrade, or replace existing EV charging equipment to meet NEVI minimum standards and requirements
5. Costs to procure and set up hardware and software for EV charging equipment
6. Equipment and installation to provide utility distributed power to EVSE stations and battery storage systems
7. Equipment for and installation of on-site electric service equipment (e.g., power meter, transformer, switch gear)
8. Minor electricity distribution system upgrades
9. Costs needed to update existing EVSE stations to meet ADA requirements and U.S. Access Board Recommendations
10. Preconstruction costs for environmental review, site design, and preliminary engineering for Charging Stations
11. Combined charging system Type 1 (SAE CCS1) and North American Charging Standard (SAE J3400) connectors and adaptors
12. EVSE infrastructure projects that meet NEVI Formula Program requirements
13. Cost of any shared equipment that supports both NEVI and non-NEVI ports prorated based on the proportion of the power rating of the equipment that can supply the NEVI ports simultaneously
14. Level 2 chargers (minimum 6kW)
15. Installation of canopies, lighting, and security features that provide a safe, reliable charging site
16. Base ground lease for site

O&M costs:

1. Charging equipment lease or warranty fees (up to 5 years after the Charging Station is commissioned)
2. Cellular network fees, internet service fees, or other fees necessary to provide communications among EVSE stations (up to 5 years after the Charging Station is commissioned)
3. Hardware and software maintenance and repair costs, including service agreements with third-party contractors and charging equipment manufacturers or warrantors (up to 5 years after the Charging Station is commissioned)
4. **Costs for electricity use and demand charges**
5. Other allocable operating costs necessary for Charging Stations (up to 5 years after the Charging Station is commissioned)

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Direct Administrative costs:

1. Administrative costs to manage the program, including training and reporting of quarterly, annual, or one-time data as required under [23 CFR 680.112](#)

4.5 Ineligible Costs

Ineligible costs are expenses deemed as such under [23 CFR 680](#) and other applicable federal, state, and local laws.

4.5.1 Examples of Ineligible Costs

Ineligible costs include, but are not limited to:

1. Costs incurred prior to a fully executed Project Agreement with KYTC
2. Costs not related directly to vehicle charging
3. Costs for lobbying or for the intervention in state, federal regulatory, or adjudicatory proceedings
4. Costs for construction or general maintenance of building(s) and parking facilities (if not related directly to vehicle charging)
5. Costs of major grid upgrades (e.g., longer line extension or upgrades, improvements to off-site power generation, bulk power transmission, substations)
6. Cost of any equipment that supports only non-NEVI ports
7. Portion of the cost of any shared equipment that supports both NEVI and non-NEVI ports that is beyond the eligible amount
8. Level 2 chargers less than 6kW
9. Utility service upgrade costs covered by the utility
10. Costs covered by the electric utility's programs or tariff rules
11. Indirect administrative costs (e.g., office supplies, rent, marketing, advertising)
12. Costs for research projects
13. Costs for bathrooms and access to food and drink, including vending machines
14. Costs for the purchase of real estate

5. Proposal Instructions

5.1 General Proposal Requirements

Proposers are responsible for conducting their due diligence, including understanding all terms and conditions of the RFP documents and applicable federal, state, and local laws. **It is recommended that Proposers thoroughly review the reference documents listed in Section 2.2.** Questions should be submitted to KYTC according to the instructions in Section 5.4.

5.2 Proposal Timeline

Table 5-1 outlines the activities and corresponding dates that must be met by all Proposers. KYTC may update this timeline and will notify participants by posting an addendum on [Kentucky's Vendor Self Service website](#). It is the Proposer's responsibility to refer to the website on a regular basis.

Proposals received after the deadline will be deemed ineligible and will not be reviewed. Incomplete proposals may be disqualified from consideration. KYTC is not responsible for any errors or delays caused by technical difficulties resulting from uploading proposals.

Table 5-1. Proposal Timeline

Activity	Date	Time*	Details
Final RFP Released	5/29/2026	N/A	Kentucky's Vendor Self Service website
Pre-Bid Webinar	6/8/2026	1:00 p.m. ET	Registration
Question Period Ends	6/12/2026	5:00 p.m. ET	Submit via email to Laura.Hagan@ky.gov
Answers Posted	6/26/2026	N/A	Kentucky's Vendor Self Service website
Proposal Due Date	7/13/2026	11 a.m. ET	MOVEit TRANSFER
Notice of Award* (Anticipated)	Approximately 45 calendar days after the proposal window closes		Sent via email
Execution of Agreement* (Anticipated)	Approximately 60–90 calendar days after Award date (Includes all requirements in Sections 7.1 and 7.2)		To be detailed in Notice of Award

**Note: KYTC is not bound to these timelines and may take more time to conduct the NEPA clearance process and obtain the appropriate authorizations from FHWA.*

5.3 Request for Proposal Access

The RFP, addenda, attachments, and questions and answers are available via [Kentucky's Vendor Self Service website](#). Account registration is not needed to access the RFP solicitation or other documents.

Request for Proposal

To view these documents go to the website (using the live link above or some other method), then:

- Click “View Published Solicitations.”
- In the Keyword Search enter **2600000371** and click “Search.”
- Click the hyperlinked **RFP- 605 2600000371** to view the solicitation.
- Click on the “Attachments” tab to download all associated documents.

The geographic information system (GIS) map with the detailed boundaries for the Zones can be accessed on [Kentucky's EV Charging Program website](#).

5.4 Proposal Questions and Addendums

KYTC's Division of Purchases is the only office authorized to change, modify, amend, alter, or clarify the specifications, terms, and conditions of this RFP. All communications for this RFP should be directed to the Commonwealth Buyer, Laura Hagan.

Laura Hagan, NIGP-CPP, CPPO, CPPB
Commonwealth of Kentucky
Kentucky Transportation Cabinet
Division of Purchases
200 Mero Street
Frankfort, KY 40601
(502) 782-3980
Laura.Hagan@ky.gov

The Commonwealth Buyer shall be the sole point of contact throughout the procurement process. All communications, oral and written (regular, express, or electronic mail), concerning this procurement shall be addressed to the Commonwealth Buyer. Questions or requests for clarification about this RFP must be submitted to Laura.Hagan@ky.gov

Questions should include the following information;

- RFP Document Name
- RFP Document Section Number
- RFP Document Page Number
- Question

KYTC will respond to questions within 14 days of the question window closing . Answers to questions will be posted on [Kentucky's Vendor Self Service website](#). Verbal or audio questions will not be addressed. Proposers shall not contact any other KYTC personnel, consultants, or agents regarding this RFP from the date of advertisement until an Award is issued by KYTC. Violation of this section may be grounds for rejecting any proposal(s) from that Proposer.

KYTC reserves the right to amend this RFP at any time by addendum. The Proposers shall acknowledge all addendums in writing, per the instructions included in the addenda.

Request for Proposal

5.4.1 Acknowledgment of Addenda

It is the Proposer's responsibility to check [Kentucky's Vendor Self Service website](#) for any modifications to this solicitation (see Section 5.3 for access instructions). Signing the certification for each Technical Proposal constitutes the Proposer's acknowledgement of, and agreement to be bound by, the terms of all addenda issued.

Failure to specifically acknowledge addenda will not excuse the vendor from adhering to all changes to the requirements of the solicitation set forth therein nor provide justification for any pricing changes.

5.5 Proposal Contents

Each proposal must include the following completed attachments and documents, as further described in this RFP, and in the format identified by the RFP documents accessible via [Kentucky's Vendor Self Service website](#).

Table 5-2. Proposal Contents

ADMINISTRATIVE PROPOSAL			
For each of the proposal documents listed below, one submission per distinct proposed team is required. Use the naming convention and file formats shown below for all submitted files.			
Attachment	File Name for Submission	Section of RFP & File Type	Notes
12 - Transmittal Letter Req.	[Proposer Name] RFP 2600000371 Transmittal Letter.pdf	Section 5.5.6 Searchable PDF	Attachment provides details
3a – Admin. Proposal Form	[Proposer Name] RFP 2600000371 Admin Proposal Form.pdf	Section 5.5.1 Searchable PDF	Include organizational chart in the PDF
3b - Affidavit for Bidders	[Proposer Name] RFP 2600000371 Affidavit for Bidders & Offerors.pdf	PDF	Must be signed and notarized
8 – Ack. Of FHWA Form 1273	[Proposer Name] RFP 2600000371 Acknowledgement of FHWA Form 1273	Searchable PDF	Must use template provided

TECHNICAL PROPOSAL			
For each of the proposal documents listed below, one submission per Project Site is required. Use the naming convention and file formats shown below for all submitted files.			
Attachment	File Name for Submission	Section of RFP & File Type	Notes
4a - Technical Proposal Form	[Zone Name] [Proposer Name] RFP 2600000371 Technical Proposal Form.pdf	Section 5.5.1 Searchable PDF	Includes EVSE cut sheets, EVSE connection diagram, preliminary site design and layout, and area map

Request for Proposal

TECHNICAL PROPOSAL			
For each of the proposal documents listed below, one submission per Project Site is required. Use the naming convention and file formats shown below for all submitted files.			
Attachment	File Name for Submission	Section of RFP & File Type	Notes
4b - Proposed Project Schedule	[Zone Name] [Proposer Name] RFP 2600000371 Proposed Project Schedule.xlsx	Section 5.5.2 Excel	Must use template provided
6 - Site Host Letter of Intent	[Zone Name] [Proposer Name] RFP 2600000371 Signed Site Host Owner Letter of Intent.pdf	Section 5.5.4 Searchable PDF	Must use template provided Must include proof of ownership, such as a property deed, current lease agreement, site access agreement, or other legally binding documentation demonstrating the Proposer's authority to install and operate EV charging equipment at the proposed location.
11 - Utility Data Request Form	[Zone Name] [Proposer Name] Completed Utility Data Request Form.pdf	Section 5.5.5 Searchable PDF	Must use template provided

COST PROPOSAL			
For each of the proposal documents listed below, one submission per distinct proposed team is required. Use the naming convention and file formats shown below for all submitted files.			
Attachment	File Name for Submission	Section of RFP & File Type	Notes
5 - Cost Proposal Form	[Zone Name] [Proposer Name] RFP 2600000371 Cost Proposal Form.xlsx	Section 5.5.3 Excel	Must use template provided

Note: All submitted PDFs shall be searchable and not obfuscated, including images from scanned print-offs. Any proposal that contains a PDF that is obfuscated and not searchable may be deemed nonresponsive.

Upon submission, all proposals become the property of the Commonwealth. The successful proposal shall be incorporated into the resulting Contract by reference. Disposal of unsuccessful proposals shall be at the discretion of the Commonwealth Buyer. Any information included in a proposal that the Proposer believes is considered confidential or proprietary under Commonwealth law shall be marked.

Request for Proposal

5.5.1 Proposal Forms – Administrative, Technical, and Cost

If proposing multiple Project Sites for different Zones, Proposers must submit both a Technical Proposal and a Cost Proposal Form for each Project Site. Only one Administrative Proposal is required per distinct Proposer team. If one member of the Proposer team, as outlined in the organizational chart, changes from one Project Site proposal to another, a separate and distinct Administrative Proposal must be completed and submitted for that distinct Proposer team.

5.5.2 Proposed Project Schedule

Proposers must provide a **detailed Attachment 4b - Proposed Project Schedule**, based on the requirements outlined in the RFP. Details must be provided at a level that illustrates a comprehensive understanding of the project requirements. The schedule must address the tasks outlined in **Attachment 2 - Scope of Work (SOW)**, including but not limited to, critical activities, subtasks, key milestones, submission and review of deliverables, and Notices to Proceed (NTPs) required to accomplish the primary tasks as outlined in the SOW. The schedule shall include time frames and dates to meet all tasks, activities, and requirements of the project, including reporting deadlines. Proposers must provide an estimate as to when each task will begin and how many days each task is expected to take. The completed Project Schedule should clearly indicate all the steps required to complete the project and illustrate a clear understanding of the project requirements.

5.5.3 Cost Proposal Form

Proposers must provide a completed **Attachment 5 - Cost Proposal Form**. A Proposer must enter the required information in the form and shall not change any formula in the form. The Cost Proposal Form will calculate the Proposer's maximum total project reimbursement and will be used to establish the maximum budget for the project. Each Proposer is required to follow the instructions provided in Attachment 5 and provide the following:

- The requested reimbursement (percent) for capital costs, which shall not exceed 80 percent.
- The requested reimbursement (percent) for O&M costs, which shall not exceed 80 percent.
- The project costs for each cost item, as identified in the Cost Proposal Form. Costs shall include only items eligible under the NEVI program, as defined in Section 4.4.
- In-kind contributions are not allowed as part of the Proposer cost share.

5.5.4 Site Host Owner Letter of Intent

The Proposer shall ensure public access to the proposed EV Charging Station 24 hours a day, 7 days a week, 365 days a year for the life of the Project Agreement, per [23 CFR Part 680](#), including any property required for ingress and egress. Unfettered, unimpeded site access is required for the design, construction, and operation of EV Charging Stations. As such, Proposers shall complete and sign **Attachment 6 - Site Host Owner Letter of Intent**.

There are two versions of the letter included in **Attachment 6 - Site Host Owner Letter of Intent**. If the Proposer is not the Site Host owner, both the Proposer and Site Host owner must sign and submit Template A, along with proof of property ownership from the Site Host. If the Proposer is the Site Host owner, it must use Template B. In this case, the Proposer must still provide proof of Project Site ownership. Ensuring Project Site control and public accessibility are critical components of the proposal process.

Request for Proposal

No language in **Attachment 6 - Site Host Owner Letter of Intent**, shall be altered or revised. Any alterations to the language may lead to a proposal being deemed nonresponsive. The letter will not be scored but will be part of the administrative responsiveness check.

5.5.5 Utility Data Request Form

The Proposer shall provide a completed **Attachment 11 - Utility Data Request Form**. If a utility is non-responsive to the Proposer's request to complete the relevant sections of the Utility Data Request Form or does not provide all the requested information, the Proposer shall provide as much information as it can, and shall provide proof of attempts to contact the utility. The Utility Data Request Form will not be scored but will be part of the administrative responsiveness check.

5.5.6 Transmittal Letter

The Offeror shall complete and submit a Transmittal Letter prepared in accordance with the Transmittal Letter Requirements provided in Attachment 12 of this Solicitation. The Transmittal Letter must be signed by an individual authorized to legally bind the Offeror. The Transmittal letter shall include required certifications, disclosures, and Offeror information necessary for proposal evaluation and contract compliance. Refer to **Attachment 12 – Transmittal Letter Requirements** for complete preparation instructions.

5.6 Proposal Submission

Proposers must submit all three parts of the proposal: Administrative Proposal, Technical Proposal, and Cost Proposal. The Administrative Proposal will be completed only once by each Proposer, while the Technical Proposal and Cost Proposals will be completed for each individual Project site. If subcontractors or other members who make up the Proposer change between Project Sites, that is considered a different Proposer, and a separate Administrative Proposal must be submitted.

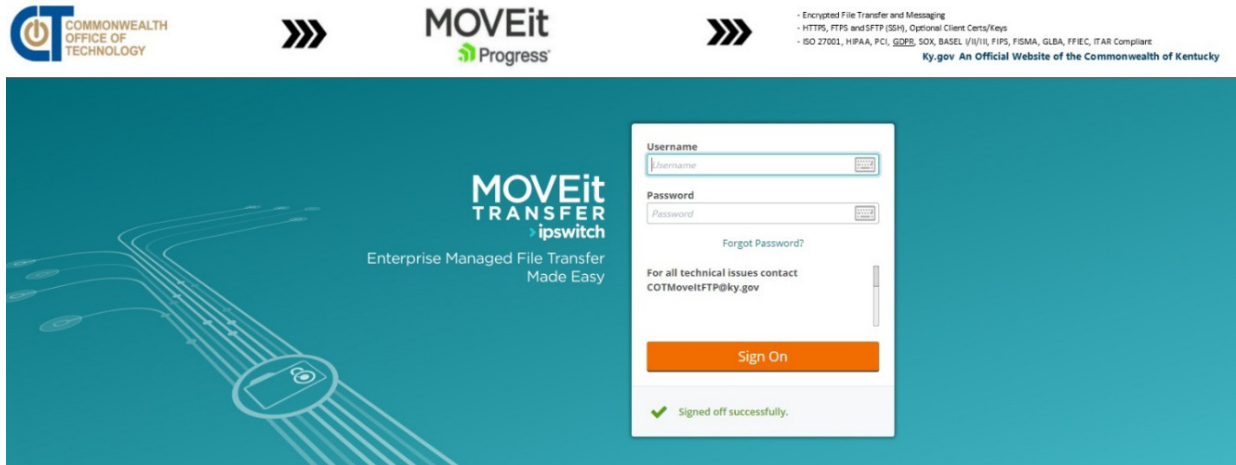
Proposers must complete all required sections of the Administrative Proposal and Technical Proposal forms and provide the necessary information and documents directly in the forms. Links to information outside the forms will not be reviewed. Any additional documents submitted outside those requested will also not be reviewed. All files submitted shall use the naming convention provided in Section 5.5.

All submitted Technical and Cost Proposals shall remain valid for a minimum of six (6) months after the proposal due date.

Request for Proposal

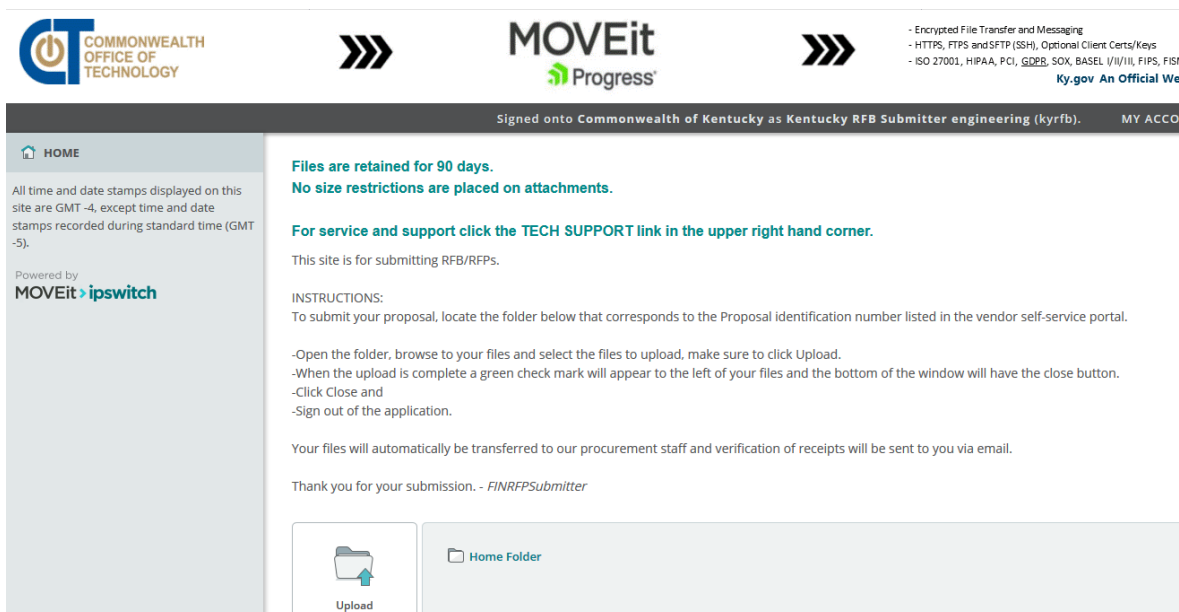
5.6.1 Submission via MOVEit TRANSFER

Proposers must submit all required information per Table 5-2 via KYTC's [MOVEit TRANSFER](#) site. This application is used for Secure File Transfer: uploading/downloading files with the FTP application and sharing the secure location with other registered MOVEit users with no size limit. NOTE: the retention of files on all MOVEit applications is 90 days unless otherwise requested.



Step 1: Login

- Username: kytcbid
- Password: Submitter20
- Forgot Password - you cannot change the password on this account.
- If you are unable to login contact the CommonwealthServiceDesk@ky.gov and they will notify the MOVEit team to assist you. You can also call 502-564-7576.
- After you login to the system, you will see this screen.
- Notice the instructions on the screen for submission.



Step 2: Select NEVI RFP 2600000371 and Upload Files

- Scroll down the page to see the list of RFP's available for submission.

Request for Proposal

/Distribution/KyAgencies/KYTransportation/Purchasing/RFP-Submitted

☐ Name	☒ Size/Contents
↑ Parent Folder	
☐ RFP 23-290 Electric Vehicle Supply Equipment Stations	23 0
☐ RFP 24-175 EV Charging Stations	2 0
☐ RFP 25-72 EV Charging Stations	
☐ RFP 605 2600000371	1

- Click on the folder that corresponds to the project you are bidding on. (RFP 2600000371)
- Click on Drag and Drop Files or the Upload Button.



Drag and drop file to add files!

Or click the "Upload Files" button

- Click Browse or Drag and Drop.
- Navigate to the folder location of the file(s), then select the file(s) that you want to send. You can also drag and drop files into this field. There is not a size limit for file uploads.
- Once all files have been added, the file(s) will show on the screen.
- Click Upload.
- A green check mark will appear to the left of each successful upload. Click Close at the bottom of the window.

Step 3: Sign out.

MY ACCOUNT SIGN OUT TECH SUPPORT

- The Sign Out Link will exit you from the application.
- The Tech Support Link will provide links to the User Guide under MOVEit Transfer Help, and Information on how to Contact the COT MOVEit Team.
- **FOR TECHNICAL ASSISTANCE WITH MOVEit/FTP**
 - Non-Commonwealth third parties should contact the Commonwealth Service Desk. Commonwealthservicedesk@ky.gov and cc: COTMOVEITFTP@ky.gov. Or call 502-564-7576.

Request for Proposal

- In the request for assistance, please include the following – KY RFP# (RFP 2600000371), telephone number, and a detailed description of any errors or messages received.

5.7 Amendment or Withdrawal of a Proposal

Proposers may amend and resubmit proposals via KYTC's [MOVEit TRANSFER](#) site at any time before the proposal due date and time in Section 5.2. Proposers must upload the new files and make it clear in the file names that they are new files to be evaluated.

If Proposers wish to withdraw a proposal, either before or after the proposal due date and time in Section 5.2, they must contact the Commonwealth Buyer, Laura Hagan via email at Laura.Hagan@ky.gov. The email subject line should include "[Proposer Name] RFP 2600000371 Withdraw Proposal". The body of the email must clearly describe the proposal or proposals being withdrawn including the Zone or Zones for which a proposal or proposals are being withdrawn.

6. Evaluation of Proposals

KYTC has established an Evaluation Committee to review, evaluate and verify information submitted by the offeror, as described in Section 6.4 to score proposals and make Award recommendations.

KYTC shall conduct a comprehensive, fair, and impartial evaluation of all proposals.

Proposals will only compete against proposals submitted in that respective Zone (section 4.3). For example, a proposal received for Urban Zone 5 (UZ5) will only compete against other proposals received for Urban Zone 5; it will not compete against proposals in any other Zone.

6.1 Proposal Irregularities and Clarifications

KYTC has the authority to reject any or all proposals and to waive or allow corrections of any minor irregularities or nonmaterial omission.

6.2 Process for Clarification of Proposal Information

KYTC reserves the right to contact a Proposer after the submission of a proposal to clarify the proposal or request additional information to ensure mutual understanding. KYTC will not consider information received if the information materially alters the content of the proposal or alters the type of project the Proposer is proposing. Failure to comply with requests for additional information in a timely manner may result in rejection of the proposal as noncompliant.

6.3 Responsiveness of Proposals

KYTC may choose to reject or not evaluate proposals for any of the following reasons:

- The Proposer fails to deliver the proposal by the due date and time.
- The Proposer acknowledges that a requirement of the proposal cannot be met.
- The proposal materially changes a requirement of this RFP, or the proposal is not compliant with the requirements of this RFP.
- The proposal limits KYTC's rights.
- The Proposer fails to submit a timely response to KYTC's request for information, documents, or references.
- The Proposer fails to include an authorized signature.
- The Proposer provides misleading or inaccurate responses.
- The proposal includes conditional offers or noncommittal language.
- There is insufficient evidence (including evidence submitted by the Proposer) to satisfy KYTC that the Proposer is properly qualified to meet the requirements of the RFP or proposal.
- The proposed project(s) are not in compliance with applicable state and federal statutes and rules.
- The Proposer has a record of poor performance in the last 12 months.

6.4 Evaluation Process

KYTC will use the following process to evaluate proposals.

The procurement process will provide for the evaluation of proposals and selection of the successful proposal in accordance with Commonwealth law and regulations. KRS Chapter 45A of the Kentucky Model Procurement Code provides the regulatory framework for the procurement of services by Commonwealth agencies. All applicable statutes, regulations, policies and requirements shall become a part of an Award as well as the Information Technology requirements.

6.4.1 Step 1: Responsiveness Check

All proposals will be reviewed for responsiveness to confirm the proposal meets the RFP requirements. The responsiveness check can be found in Attachment 4a (Technical Proposal Form). The responsiveness check is a two-step, pass/fail assessment.

- The first step is an administrative responsiveness check (Attachment 4a Section 9). Proposals that fail this check may be determined to be nonresponsive and may not be evaluated further.
- The second step is a technical responsiveness check (Attachment 4a Section 10). Proposals must meet minimum NEVI requirements per [23 CFR 680](#), including the requirements in Attachment 4a (Technical Proposal Form). Proposals that fail this check must be determined to be nonresponsive and will not be evaluated further.

6.4.2 Step 2: Technical Proposal Scoring Criteria and Evaluation

Proposals that pass the responsiveness check will be evaluated individually and scored by each evaluation committee member on a competitive basis according to the scoring criteria and point maximums provided in Table 6-1 and Table 6-2. Each part of the Technical Proposal Form has its own scoring criteria. The scoring criteria for the Administrative Proposal has a maximum possible 30 points. The scoring criteria for the Technical Proposal has a maximum possible 145 points.

Table 6-1. Technical Scoring Criteria for the Administrative Proposal

	Technical Scoring Criteria Administrative Proposal		Maximum Points Possible (30 Total)
Question #	Proposer Background, Experience, and Team Organization	Evaluation Considerations	20
2.1	Proposer Team Organization: Provide an organizational chart per Attachment 3a.	Evaluators will consider the following: • Organizational chart that clearly outlines the relationship among team members roles and responsibilities • General contractor identified • Electrical design firm identified • Civil design firm identified	5

Request for Proposal

	Technical Scoring Criteria Administrative Proposal		Maximum Points Possible (30 Total)
2.2	Prior Experience with Fully Constructed NEVI Funded Projects: Provide prior experience constructing and operating NEVI-funded projects per Attachment 3a: • 10 points for 5 projects • 5 points for 1–4 projects		10
2.3	Prior Experience Constructing and Operating 100kW or Higher Port Past Projects: Provide prior EVSE experience per Attachment 3a: • 5 points for 5 projects • 2 points for 1–4 projects		5
Question #	General Project Approach and Understanding	Evaluation Considerations	10
3.1–3.6	Approach to Operations and Maintenance: Describe approach to O&M per Attachment 3a.	Evaluators will consider the following: • Preventative maintenance, including frequency • Remote monitoring of EVSE • Corrective maintenance, including time to resolution • O&M after initial 5 years • Compliance with payment requirements • Compliance with customer service requirements	5
4.1–4.3	Approach to Cybersecurity and Data Management: Describe approach to cybersecurity and data management per Attachment 3a.	Evaluators will consider the following: • Station operator and network provider are both certified in one or more cybersecurity programs, including Federal Risk and Authorization Management Program (FedRAMP) Certification, Government Risk and Authorization Management Program (GovRAMP) certification, SOC 2 Type 2, ISO 27001, or other third-party cybersecurity certifications. • Approach to cybersecurity activities, including frequency. • Approach to cybersecurity notifications.	5

Request for Proposal

Table 6-2. Technical Scoring Criteria for the Technical Proposal Form

	Technical Scoring Criteria Technical Proposal Form		Maximum Points Possible (145 Total)
Question #	Charging Station Site Ownership		15
1.11	Project Site and EVSE Charging Station are Owned and Operated by the Proposer: 15 points if the Project Site and EVSE Charging Station are both going to be owned and operated by the Proposer		15
Question #	General Project Approach and Understanding	Evaluation Considerations	30
3.1	Proposed Project Schedule: Provide a detailed proposed Project Schedule per Attachment 4b.	Evaluators will consider the following: • Identification of responsible team members for each task in proposed Project Schedule • Clear understanding of requirements outlined under 23 CFR 680 • Detailed Project Schedule that illustrates a clear, comprehensive understanding and approach to delivering the project • Comprehensive, realistic Project Schedule that includes tasks in the Scope of Work and all required activities to successfully complete the project, including frequency and type of preventative maintenance • Schedule is site specific and incorporates specific utility work	10
4.1–4.2	EVSE Information: Points for each of the following criteria: • 2 point for each additional (beyond 2 ports) 150kW or greater DCFC port (max 8 points) • Higher power DCFC (max 8 points) ○ 1 point for each port that can operate concurrently at or above 200kW ○ 2 points for each port that can operate concurrently at or above 300kW		16
5.1–5.2	Approach to Project Site Requirements: Describe approach to O&M per Attachment 4a.	Evaluators will consider the following: • Identification of party responsible for general site maintenance • Frequency of general site maintenance • Identification of responsible party for snow and ice removal • Response time for snow and ice removal • Access to free Wi-Fi at site	4

Request for Proposal

	Technical Scoring Criteria Technical Proposal Form		Maximum Points Possible (145 Total)
Question #	Project Site Proposal	Evaluation Considerations	100
6.1	Distance: Points for each respective Zone type. Corridor Zones Driving distance from corridor (measured from the end of the nearest corridor ramp or intersection to the nearest site access driveway): - Up to 0.5 mile from corridor: 10 points - Greater than 0.5 mile up to 1 mile from corridor: 7 points - Greater than 1 mile up to 1.5 miles from corridor: 5 points - Greater than 1.5 miles up to 2 miles from corridor: 2 points - Greater than 2 miles: 0 points OR Urban Zones Distance from nearest NEVI-funded station (straight line): - Greater than 5 miles: 10 points - Greater than 4 miles up to 5 miles: 8 points - Greater than 3 miles up to 4 miles: 6 points - Greater than 2 miles up to 3 miles: 4 points - Up to 2 miles from nearest station: 2 points OR Rural Zones Distance from nearest NEVI-funded station (straight line): - Greater than 25 miles: 10 points - Greater than 20 miles up to 25 miles: 8 points - Greater than 15 miles up to 20 miles: 6 points - Greater than 10 miles up to 15 miles: 4 points - Up to 10 miles from nearest station: 2 points		10
	Proposed Project Site Details, Design, and Layout and Area Map: Describe the proposed site details, design, layout, and area map, and identify each item clearly in a preliminary site design and layout or the area map, per Attachment 4a.		
6.2–8.7	Access to Site: Including ease of entry, access, and visibility from the nearest public roadway	Evaluators will consider the following: - Protected versus unprotected turns - Number of turns required to access site - Visibility from access road - Ease of access	10

Request for Proposal

	Technical Scoring Criteria Technical Proposal Form		Maximum Points Possible (145 Total)
6.2–8.7	Site Layout and EV Navigation: Including site layout for ease of EVs getting around the site, pull-through islands, siting and protection of equipment, oversize spaces versus normal spaces, and no one-way directions	Evaluators will consider the following: • Width of travel lanes on-site • No one-way direction of travel required • Pull-through islands • Siting of EVSE in relation to building • Distance to amenities, such as bathrooms, food, and drink • Oversized spaces • Protection of equipment • Location of chargers on-site and ability for EVs to easily navigate in and out of charging spots • Angled versus perpendicular parking	10
6.2–8.7	Pedestrian Navigation of Site: Including site safety, ease of navigation for pedestrians on-site, signage, lighting, striping of walkways, and security cameras	Evaluators will consider the following: • Ability for pedestrians and mobility-impaired customers to safely traverse the site via pavement markings or sidewalks • Site lighting • Security camera location • Location of on-site staff • Visibility of chargers from main building for safety	10
6.2–8.7	Quality of Site Amenities and Characteristics: Including existing and proposed site characteristics, including quality of amenities	Evaluators will consider the following: • Site location in relation to floodplain and mitigation of flood risks • Clear description and visualization of site details, characteristics, and amenities • Quality of site details, characteristics, and amenities • Hours of amenity availability • Number of additional DCFC ports less than 150kW	10

Request for Proposal

	Technical Scoring Criteria Technical Proposal Form		Maximum Points Possible (145 Total)
8.1	Primary Amenities: Points for each publicly and ADA-accessible applicable items on-site and controlled by the Proposer. Access to Restrooms Availability 24 hours/day: 10 pts 12 to 23 hours/day: 7 pts 8 to 11 hours/day: 3 pts <7 hours/day: 0 pts	Requirements for amenities: • Restrooms must be open 7 days a week to receive points. • Restrooms must be on-site and controlled by the Proposer team	10
8.2	Primary Amenities: Points for each publicly and ADA-accessible applicable items on-site and controlled by the Proposer. Access to Food and Drink Availability 24 hours/day: 10 pts 12 to 23 hours/day: 6 pts 8 to 11 hours/day: 2 pts <7 hours/day: 0 pts	Requirements for amenities: • Food and drink must be available 7 days a week to receive points. • Food and drink can include vending machines, fast food options, the ability to purchase food from a convenience store, and a restaurant. Access to a water fountain does not meet the definition of access to food and drink. • Food and drink must be on-site and controlled by the Proposer team	10
8.3	Primary Amenities: Points for each publicly and ADA-accessible applicable items on-site and controlled by the Proposer. Retail/Shopping on-site Availability 12 to 24 hours/day: 3 pts 6 to 11 hours/day: 2 pts <6 hours/day: 0 pts	Requirements for amenities: • Retail must be open 7 days a week to receive points. • Retail can include convenience stores, retail stores, and other shopping opportunities with a selection of durable goods. • Retail must be on-site and controlled by the Proposer team	3

Request for Proposal

	Technical Scoring Criteria Technical Proposal Form		Maximum Points Possible (145 Total)
8.4	Primary Amenities: Points as detailed below: Canopy above chargers: 10 pts	Requirements for amenities: • Canopy is defined as a physical structure covering the EVSE and parking space that provides protection from the elements. • Trees do not meet the definition of a "canopy"	10
8.5	Primary Amenities: Points as detailed below: Pull-through charger space(s) to accommodate vehicles pulling trailers: 3 pts	Requirements for amenities: • Pull-through charger space(s) to accommodate vehicles pulling trailers must be able to charge the vehicle with the trailer attached without blocking drive aisles or access to other chargers.	3
8.7	Primary Amenities: Points as detailed below: On-Site Staff Availability 12 to 24 hours/day: 4 pts 8 to 11 hours/day: 2 pts <7 hours/day: 0 pts	Requirements for amenities: • On-site staff must be available 7 days a week to receive points. • On-site staff must be able to assist with EVSE charging, including payment issues, charger operation, and basic troubleshooting.	4
8.8	Primary Amenities: Points as detailed Incorporation of Battery Energy Storage System (BESS): 10pts	Requirements for amenities: • Minimum BESS size: 160kWh • If using to reduce grid connection, size must meet requirements in Attachment 1	10

The maximum available points for the Administrative Proposal and Technical Proposal is 175 points. **Proposals that receive a combined score below 85 for these elements may not be considered further and they may be deemed non-responsive.**

Request for Proposal

6.4.3 Step 3: Cost Proposal Evaluation

The cost score for each Cost Proposal will be calculated according to the formula in Table 6-3.

Table 6-3. Scoring Criteria – Cost Proposal

Scoring Criteria – Cost Proposal	Maximum Points Possible
1. Cost Proposal	25
The Cost Proposal will be evaluated per Zone based on the Proposer's maximum total project reimbursement, as calculated in Attachment 5. The lowest maximum total project reimbursement in each Zone will receive a total of 25 points. All other Cost Proposals in each Zone will be normalized according to the following calculation: $\text{Cost Score} = \frac{\text{Lowest Maximum Total Project Reimbursement from Responsive Applicants per Zone}}{\text{Maximum Total Project Reimbursement from Applicant}} \times 25$	25

6.4.4 Step 4: Score Tabulation and Determination of Preferred Proposer

The determination of Preferred Proposer(s) will be determined for each Zone. Proposals considered "Responsive" will be considered for Award. The Proposer with the highest Score within the specific Zone will be selected as Preferred Proposer for that Zone. Each Zone will be scored in a similar manner. For each proposal, the Proposer's score will be calculated as follows: Total Proposal Score = Administrative Proposal Score + Technical Proposal Score + Cost Proposal Score.

Table 6-4. Scoring Categories and Total Points

Scoring Category	Available Points
Administrative Proposal	30
Technical Proposal	145
Cost Proposal	25
Total Score	200

6.4.5 Step 5: Award

Subsequent to identification of Preferred Proposers, the Director of the Division of Purchases will issue a Notice of Award to the applicable Preferred Proposer of the selection and proceed to negotiate a PA (pursuant to 23 CFR 636.513(a)) for the applicable Project, subject to the Conditions Precedent.

If a particular entity is identified as Preferred Proposer for more than one Designated Zone, KYTC may elect to enter into a single PA with such entity covering multiple Projects Sites. KYTC does not intend to negotiate material terms set forth in the RFP; rather, the negotiation should be largely administrative in nature to include information specific to Developer and Project Site(s) involved.

As a reminder, expenses incurred prior to an executed PA are not reimbursable.

The Commonwealth Buyer will email a Notice of Award to all Proposers who submitted a proposal in response to the RFP. No other notification of the results of an Award of Contract will be provided.

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For additional Award information, Proposers may email the Commonwealth Buyer.

6.4.6 Step 6: Negotiations After Notice of Award

In the event the Commonwealth cannot reach agreement with the top-ranked Preferred Proposer, the Commonwealth may present a Notice of Award to the next highest ranked Proposer, and so on. It is the Commonwealth's intent to execute a PA with Preferred Proposer. Should any conflict of interest be detected any time after execution of a PA, the PA shall be null and void and the Developer shall assume all costs of the Project until such time that a new Preferred Proposer is selected. Any PA resulting from this RFP shall be subject to the termination provisions set forth in 200 KAR 5:312.

6.5 Protest

Pursuant to KRS 45A.285, the Secretary of the Finance and Administration Cabinet, or her designee, shall have authority to determine protests and other controversies of actual or prospective offerors in connection with the solicitations or selection for Award of a Contract. Any actual or Potential Proposer or Developer, who is aggrieved in connection with solicitation or selection for Award of a Contract, may file a protest with the Secretary of the Finance and Administration Cabinet. A protest or notice of other controversy must be filed promptly and in any event within 2 calendar weeks after such aggrieved person knows or should have known of the facts giving rise thereto. All protests or notices of other controversies must be in writing and shall be addressed and mailed to: Commonwealth of Kentucky Finance and Administration Cabinet Office of the Secretary 200 Mero Street, 5th Floor Frankfort, KY 40622 The Secretary of Finance and Administration Cabinet shall promptly issue a decision in writing. A copy of that decision shall be mailed or otherwise furnished to the aggrieved party and shall state the reasons for the action taken. The decision by the Secretary of the Finance and Administration Cabinet shall be final and conclusive.

6.6 KYTC Discretion

KYTC reserves the right to reject any or all proposals at any time prior to the execution of a Project Agreement. KYTC is not obligated to award Project Sites in all Zones. Past Vendor Performance may be considered in the Award of a Contract. Vendors with a record of poor performance in the last 12 months may be found nonresponsive and ineligible for Award.

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

6.7 Disposition of Proposals and Copyrights

This RFP specifies the format, required information and general content of proposals to be submitted in response to the RFP. The Kentucky Transportation Cabinet shall not disclose any portions of the proposals prior to contract Award to anyone outside the Kentucky Transportation Cabinet, representatives of the agency for whose benefit the contract is proposed, representatives of the federal government, if required, and the members of the evaluation committee. After a contract is awarded in whole or in part, the Commonwealth shall have the right to duplicate, use, or disclose all proposal data submitted by Offerors in response to this RFP as a matter of public record.

Any and all documents submitted by an Offeror in response to the RFP shall be available for public inspection after contract Award pursuant to the Kentucky Open Records Act, KRS 61.870 to 61.884 ("the

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Act”). When responding to a request to inspect records submitted in response to this RFP, the Commonwealth will not redact or withhold any information or documents unless the records sought are exempt from disclosure pursuant to KRS 61.878 or other applicable law. Similarly, no such documents shall be exempt from public disclosure, regardless of the Offeror’s designation of the information contained therein as “proprietary,” “confidential,” or otherwise, except in cases where the requested documents (or information contained therein) would be excluded from application of the Act under KRS 61.878(1)(c).

The Commonwealth of Kentucky shall have the right to use all system ideas, or adaptations of those ideas, contained in any proposal received in response to this RFP. Selection or rejections of the proposal will not affect this right.

7. Post-Award

7.1 NEPA Clearance Prior to Execution of Agreement

After KYTC has issued an Award, KYTC will conduct the NEPA review for each Project Site. The Developer must support KYTC through the NEPA approval process. If a Project Site is unable to achieve NEPA clearance through a Categorical Exclusion the initial Award will expire and will not move forward to a Project Agreement. All Project Sites that are issued Awards must receive NEPA clearance prior to executing the Project Agreement.

7.2 Execution of Project Agreement

Unless otherwise directed by KYTC, the Proposer shall sign the Project Agreement within 45 calendar days of achieving NEPA clearance and receipt of the agreement. At the time of execution of the Project Agreement and as conditions precedent to execution of the agreement, the Proposer shall provide the documents discussed in the following sections.

7.2.1 Signed Site Host Agreement Between Proposer and Site Host Business Owner

KYTC will provide the Proposer with a Site Host Agreement Form that includes the language detailed in Attachment 6, Site Host Letter of Intent along with the Project Agreement. The Site Host Agreement Form shall be between the Proposer and the business entity that holds the proper authority to enter into an agreement to construct and operate an EV Charging Station on the Project Site referenced in the Award. The Proposer shall sign and execute the Site Host Agreement Form.

7.2.2 Letter of Credit

The letter of credit shall include all language in Attachment 10, Example Letter of Credit, and shall have an effective date no sooner than the date of execution of the agreement. The letter of credit shall be provided for an amount equal to 60 percent of the maximum total project reimbursement. After each successful year of O&M, the total amount of the letter of credit can be reduced by 20 percent of the original amount following notification from KYTC. The letter of credit will be drawn on in the event of default by the Proposer, as outlined in the Project Agreement.

7.2.3 Proof of Registration to Do Business in Kentucky

Registration with the Secretary of State by a Foreign Entity: Pursuant to KRS 45A.480(1)(b), an agency, department, office, or political subdivision of the Commonwealth of Kentucky shall not award a State contract to a person that is a foreign entity required by KRS 14A.9-010: to obtain a certificate of

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authority to transact business in the Commonwealth (“certificate”) from the Secretary of State under [KRS 14A.9-030](#); therefore, foreign entities should submit a copy of their certificate with their solicitation response. If the foreign entity is not required to obtain a certificate as provided in [KRS 14A.9-010](#); the foreign entity should identify the applicable exception in its solicitation response. Foreign entity is defined within [KRS 14A.1-070](#). Businesses can register with the Secretary of State [here](#).

7.2.4 Proof of Insurance

All Proposers shall submit proof of insurance in the form of a Certificate of Insurance on a standard Acord 25 demonstrating that the Proposer has complied with the requirements of the Project Agreement (Attachment 7). Submission of the Certificate of Insurance, inclusive of all requisite insurance coverage, coverage limits, and the naming of KYTC as an additional insured, is a condition precedent to execution of the Project Agreement.

7.2.5 Payment Bond

All Proposers shall provide a payment bond, per Attachment 7, Project Agreement.

7.2.6 Any Additional Documentation

Proposer shall provide any additional certificates or documents deemed necessary by KYTC.

Note: The Proposer cannot incur or agree to the payment of any costs requested for reimbursement prior to the execution of the Project Agreement.

After the Proposer has provided the required documents and KYTC has counter-signed the Project Agreement, the project will be considered funded and commenced. KYTC may rescind the Award if the Proposer does not sign the Project Agreement and provide the required documents in a timely manner.

7.3 Reimbursement Mechanism

Developers will be eligible to submit invoices for reimbursement in accordance with the following:

- **Progress Report Status Reimbursement:** Developers shall submit a 1-page progress report and invoice (formats to be provided by KYTC) every 6 months until construction is complete. The invoice amount shall be \$500.
- **Capital Construction Reimbursement:** Cost reimbursement may be claimed upon full compliance with and completion of Task 3, as detailed in Attachment 2, Scope of Work. Supporting documentation of actual costs incurred is required, including invoices and proof of payment for reimbursement of costs already paid by the Developer.
- **Capital Construction Reimbursement Withholding:** KYTC will withhold 20 percent of the total capital maximum reimbursement amount requested. Of the aggregate amount withheld, 20 percent will be released on an annual basis at the time of annual O&M payments if all performance requirements and obligations of the Project Agreement are met.
- **Annual O&M Reimbursement:** Cost reimbursement may be claimed for annual O&M costs upon annual compliance with and completion of Task 4, as detailed in Attachment 2, Scope of Work. Supporting documentation of actual costs incurred is required.
- **Final Reimbursement:** Cost reimbursement may be claimed for the final year of O&M costs and all remaining withholding upon annual compliance with and completion of Tasks 4 and 5, as detailed in Attachment 2. Supporting documentation of actual costs incurred is required.

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KYTC will only pay up to the maximum total project reimbursement in the Cost Proposal Form submitted during the proposal process for eligible costs (See Section 4.4), and all costs will be finalized in the final Project Agreement.

7.4 Pay for Performance

Additionally, a pay-for-performance approach shall be incorporated into the payment mechanism, incentivizing optimal performance of the Charging Stations, specifically meeting the 97 percent or greater uptime requirement per port as required by [23 CFR 680.116](#).

- During the O&M period, the following deductions will occur from the annual O&M payment when claims for reimbursement are submitted:
 - For every percentage point, or fraction thereof, that the 97 percent uptime is not met on a per port basis, \$1,000 will be deducted from that year's O&M payment.
 - If there is no remaining O&M payment for the deduction to be subtracted from, the amount will be deducted from the remaining withholding.
 - Once deducted, the funds can never be reclaimed.

7.5 Reasonable Return on Investment

Per [23 CFR 680.106\(m\)\(2\)\(ii\)](#), the Developer is not allowed to make more than a “reasonable return on investment on the Charging Station” (project). This applies only to income received from EV charging. “Reasonable return on investment on the Charging Station” is determined by the state as no more than 25 percent profit on the project.

The profit is calculated once at the end of the project and does not extend beyond the life of the Project Agreement. Profit is defined as the remainder of all revenue received from the operation of the EV charging and reimbursements from KYTC (total revenue) after all eligible expenses, including reimbursable and non-reimbursable expenses, have been deducted.

$$\text{Profit percent} = \frac{(\text{Revenue from Operations} + \text{Reimbursements}) - \text{Eligible Expenses}}{\text{Eligible Expenses}} \times 100 \text{ percent}$$

- **Revenue:** Revenue received from the operation of the project and reimbursements over the life of the Project Agreement.
- **Eligible Expense:** Includes all reimbursed and non-reimbursed legitimate business expenses the Developer has incurred over the life of the Project Agreement. This includes the Proposer Cost Share.

Any profit of more than 25 percent must be returned to KYTC. This is capped at the Maximum Total Project Reimbursement amount. The Developer shall provide a signed letter with the final invoice stating the amount of profit earned. KYTC may ask for the Developer to provide documentation for this amount.

In Figure 7-1, the Developer receives \$45 in revenue from EV charging operations. The total eligible expenses for the Project equal \$100, including both reimbursable and non-reimbursable expenses. The Developer is reimbursed 80 percent of its total eligible expenses, equaling \$80. In this example, the Proposer cost share is \$20. In addition to making back the Proposer cost share of \$20, the Developer is able to make an additional \$25 in profit, more than doubling the at-risk investment (Proposer Cost Share).

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Figure 7-1. Example Return on Investment

