



**Pennsylvania  
National Electrical Vehicle Infrastructure (NEVI)  
Formula Program**

**NOFO – Important Considerations for Potential Applicants**

**Commonwealth of Pennsylvania  
Department of Transportation**

*Josh Shapiro, Governor  
Mike Carroll, Acting Secretary of Transportation*

**Round 1 FFY 2022 – FFY 2023  
March 13, 2023**



PennDOT has updated its NOFO for Round 1 of the Pennsylvania National Electrical Vehicle Infrastructure (NEVI) Formula Program. PennDOT delayed the original application period by one month to ensure compatibility of the program with the final Federal Rule (23 CFR Part 680) that was released on February 15, 2023.

#### **Program Description [NOFO Section I-A]:**

- The Bipartisan Infrastructure Law (BIL) establishes a National Electric Vehicle Infrastructure (NEVI) Formula program to provide funding to states to strategically deploy EV charging infrastructure and to establish an interconnected network to facilitate data collection, access, and reliability.
- The purpose of the NOFO is to solicit Applications for Round 1 of PennDOT’s NEVI Formula grants. Funds for the federal fiscal years (FFY) 2022 and 2023 PA NEVI grant program are to be awarded on a competitive basis to plan, design, construct, operate, and maintain Electric Vehicle Supply Equipment (EVSE) sites across Pennsylvania.

#### **General Requirements for Round 1 Applications:**

- Round 1 Applications must be submitted between 03/27/2023 and 05/05/2023 at 5pm EDT using the eGrants Public Portal Interface
- In general, most entities are eligible to receive NEVI funds. [NOFO Section II-A]
- Most costs directly related to EV charging are eligible. [NOFO Section II-C]
- Only costs incurred after Grant Agreement execution are eligible for reimbursement.
- Round 1 will focus on fully building out 15 Interstate highway alternative fuel corridors (AFCs) [NOFO Section I-B]
- Eligible Charging Station Projects include:
  - a publicly accessible location within 1-mile driving distance from the AFC interchange
  - a minimum of 4 CCS DC fast charging ports
  - a minimum station power capability of 600 kW
  - a minimum port power capability of 150 kW per port when all four ports are in use
  - a minimum port power capability of 300 kW per port when only two ports are in use (PA requirement)
- Site Applicants may apply for up to 80 percent federal cost share of the eligible costs, with a minimum required match of 20 percent from non-federal sources. [NOFO Section I-C]
- Charging sites must:
  - operate for 5 years following the fully executed grant agreement
  - be available for public charging 24 hours a day, 7 days a week
  - meet the average annual Uptime requirement of greater than 97 percent
  - provide ADA accessibility for charging
  - ensure equitable payment options
  - meet all PennDOT and Federal Rule standards [NOFO Appendix V]
- Projects must comply with all Federal Rule requirements, including Davis-Bacon Act, EVITP or similar certification requirements, and others.
- Site Applicants must comply with applicable Pennsylvania labor and workforce safety laws. [NOFO Section IV-E]
- Equipment used for EV charging must comply with both the Title 23 Buy America clause (23 U.S.C. § 313) and the Build America, Buy America Act (Pub. L. No 117-58, div. G §§ 70901–70927). [NOFO Section III-I]
- Grantees must prepare and provide all data required by PennDOT to complete the quarterly and annual reports as per § 680.112 of the Federal Rule. [NOFO Section III-B]
- Grantees must produce a Data Management and Cybersecurity Plan and update the plan annually throughout the Period of Performance of the Project. [NOFO Section III-G]
- Grantees must have their utility provider complete the Utility Form. [NOFO Appendix VII]
- This list is not exhaustive. See the full NOFO for all details and requirements.



### Updates included in the March 13, 2023 NOFO (since release of January 6, 2023 NOFO):

- In general, PennDOT has updated the NOFO to:
  - Add details from the final Federal Rule – Potential applicants should review the final Federal Rule as many items have been clarified from the NPRM version
  - Clarify information based on questions received from potential Site Applicants
- List of Updates
  - Application submission dates and the Grant Agreement timeline have been shifted back by roughly one month. [NOFO Section V-A]
  - The Federal Rule has updated the Buy America Waiver, 88 FR 10619, and PennDOT has updated the requirement such that Applications must plan to meet the second phase of the Buy America Waiver. [NOFO Section III-I]
  - Guidance has been added for cybersecurity information to be included in the Data Management and Cybersecurity Plan. [NOFO Section III-G and Appendix IX]
  - The timeline from application through project completion and close-out has been clarified. [NOFO Section I-D]
  - Minor clarifications were made to eligible and ineligible costs [NOFO Section II-C]
  - The ability for PennDOT to perform O&M if Uptime requirements are not met has been removed [NOFO Section III-A]
  - An Emergency Incident Reporting Requirement has been added. [NOFO Section III-A]
  - A clause has been added to address project revenue and pricing for EV Charging ensuring that both profits and pricing are reasonable. [NOFO Section III-D]
  - Clarifications have been made to the post-selection timeline. [NOFO Section VI]
  - Some definitions have been added or clarified. [NOFO Appendix I]
  - Minor clarifications were made to the Application Questionnaire. [NOFO Appendix III]
  - EVSE standards have been updated and clarified as per the Federal Rule. [NOFO Appendix V]
  - Additional documents have been added to the project deliverables table. [NOFO Appendix VI]
  - Many clauses were copied from the NOFO to the sample Grant Agreement so that the sample Grant Agreement is self-contained. Many clauses were clarified or expanded upon. [NOFO Appendix X]

### Important Links

- PA NEVI Site:  
<https://www.penndot.pa.gov/ProjectAndPrograms/Planning/EVs/Pages/NEVI.aspx>
- Full Round 1 NOFO (Updated 03/13/2023):  
<https://www.penndot.pa.gov/ProjectAndPrograms/Planning/EVs/Pages/Apply.aspx>
- Applications submitted through the eGrants Public Portal Interface (Available 03/27/2023):  
<https://www.esa.dced.state.pa.us/Login.aspx>
- Round 1 Interchange Information Map:  
<https://experience.arcgis.com/experience/1fb10ced43564b20a95b5f14510d5163/>
- Federal National Electric Vehicle Infrastructure Standards and Requirements, 23 CFR Part 680 (Federal Rule):  
<https://www.federalregister.gov/d/2023-03500>
- PA NEVI Frequently Asked Questions (FAQ):  
<https://www.penndot.pa.gov/ProjectAndPrograms/Planning/EVs/Pages/FAQs.aspx>

Any technical questions regarding the NOFO must be submitted to RA-PDEVCorridors@pa.gov by March 24, 2023. Frequently asked questions and answers will be posted publicly online to the PennDOT NEVI site.