

Maryland Charge Ahead Grant Program (CAGP) Guidelines

I. Overview

In September 2015, the United States Environmental Protection Agency (EPA) and California Air Resources Board (CARB) notified Volkswagen AG of violations of the Clean Air Act, alleging that Volkswagen diesel vehicles sold between 2009 and 2016 were equipped with defeat devices that allowed these vehicles to emit multiple times more nitrogen oxide (NOx) emissions than were legally allowed. The Partial Consent Decree (hereinafter referred to as the Settlement Agreement) that settled this violation created an Environmental Mitigation Trust fund of \$2.7 billion to remediate the excess NOx emissions from the affected vehicles. Maryland, as a beneficiary to the settlement, is eligible to receive approximately \$75.7 million to use on specific projects to reduce diesel emissions from the transportation sector.

The Settlement Agreement limits the use of funds for Zero Emission Vehicle (ZEV) infrastructure investment to 15% of the total state allocated funds. This Plan proposes to use the full 15%, approximately \$11.3 million, for the deployment of ZEV infrastructure to facilitate the state's adoption of battery electric and plug-in hybrid vehicles. As part of the settlement, The Governor designated the Maryland Department of the Environment (MDE) as the Lead Agency responsible for administering these funds. MDE, in its role as Lead Agency, will oversee the Charge Ahead Grant Program (CAGP) in coordination with the Maryland Energy Administration (MEA).

II. Program Description

The CAGP is one of two programs that will be created from the VW ZEV infrastructure investment allotment. The CAGP will distribute funds to facilitate charging station deployment at state-owned facilities and workplaces. Availability of charging infrastructure at state-owned facilities will be essential to the adoption of ZEVs in the state fleet, while also promoting the viability of ZEVs to the public. Access to charging infrastructure at workplaces will also be critical to meeting ZEV adoption goals; besides at home, the workplace is the next most likely location a ZEV driver will charge. With proper workplace charging implementation, employers can help increase the convenience and affordability of driving electric for their employees. Workplace charging can also help attract and retain a cutting-edge workforce and demonstrate leadership in adopting advanced technologies.

III. Type of Grant Program

Grant funds will be awarded on a competitive basis. Each successful applicant will be awarded a grant amount, which is determined as specified under (Section V) "Cost Share." This is a reimbursement program and award recipients must provide their own funding to cover expenses as they are incurred. A grantee will be reimbursed for eligible costs only after work is completed and all necessary supporting documentation has been submitted to The Maryland Department of the Environment (MDE).

The CAGP will release funds over 3 funding rounds; the program schedule described in these guidelines pertains to the first funding round. Subsequent funding rounds are expected to open after the award notice for the previous funding round. More guidance will be made available at a later date.

IV. Program Budget

Up to 1/3rd of MD's total VW EVSE budget allocation, approximately \$3.77M, will be available for this funding round. This allotment will be shared between both this program and the Electric Corridors Grant Program (see separate RFP). MDE reserves the right to increase or decrease the program budget.

MDE reserves the right to reduce the grant amount specified in a grant agreement to an amount deemed appropriate based on the availability of program funds. MDE also reserves the right to partially fund a proposal by funding only a portion of a proposed project. In this event, the grantee and MDE shall work to reach an agreement on a reduced scope of work commensurate with the level of available funding.

V. Cost Share

Applicants may request funds to cover up to 60% of the cost to purchase and install light-duty electric vehicle supply equipment up to a cap of \$6,000 per charger. Funding requests are calculated on a per charger basis; dual-head chargers (2 charging dispensers, 1 pedestal) are considered 1 charger. There is a \$600,000 total award cap for each parent company or lead agency. Any leveraged funds/resources, and their source, must be identified in the proposal application. Cost share may only be met with eligible and allowable costs. State funds, including but not limited to MEA's Electric Vehicle Supply Equipment (EVSE) Rebate Program, are also prohibited from being used to meet any provided cost share. The recipient is legally obligated to meet any proposed cost share that is included in the approved project budget. If the proposed cost share does not materialize during grant performance, MDE may reconsider the legitimacy of the award and take appropriate action as authorized.

VI. Eligibility

Non-profit and private employers (workplace), state, federal and local governmental agencies are also eligible to apply to the CACP. Each employer must be in good standing with the Maryland State Department of Assessments and Taxation. Regulated utilities are not eligible to receive funding under this program. Workplaces identified in application must be a non-residential place of business. The applicant must allow practical access to, and use of, EV charging station by all employees at the location identified in the application, as documented in writing.

Projects must utilize commercially available technologies. Grants will not be awarded to fund research or demonstration projects.

To be considered for award, an applicant must submit a complete application and the proposed project must comply with the requirements outlined in (Section VII(1)) "Technical Specifications.

VII. Project Requirements

1. Technical Specifications

All equipment must comply with all applicable permitting, building, environmental and fire codes. Requirements for a proposed project are specified below.

- Be completed, and reimbursement paperwork submitted to MDE, within 1 year of grant agreement execution.
- Hard-wired Level 2 EV 208/240-volt charging station, capable of providing electric power at each plug at a minimum 7.2 kW continuous rate, with a cord connector that meets the SAE J1772 standard.
- It is recommended, but not required, that charging stations have Energy Star certification.
- Both networked ("smart") and not networked ("dumb") charging equipment are eligible, though networked equipment that can connect to the Internet via Wi-Fi, cellular or other connection using multiple carriers is preferred.
- Minimum charging cable length of 18 feet.
- One dedicated parking space per charging port.

2. Project Siting

Eligible projects must be sited within Maryland and have a fixed location. All applicants must be able to secure necessary property rights, easements, right of way and access to the property for the charging infrastructure. Workplace charging infrastructure is not required to be publicly accessible; it may be restricted to use by employees only or may be open to a broader user group/the public. Charging infrastructure must either be installed at parking spaces reserved for employees or be installed in a general use parking facility at which at least 50 percent of people parking at a workplace site on a typical business day are employees of an organization doing business on or adjacent to the premises. Workplace sites may be employee-only parking lots or parking areas.

Stations must contain adequate lighting for all weather conditions. Stations must remain operable and accessible year round and be maintained to be free of both manmade and natural obstructions. Once stations are completed, grantee is required to register sites on both the [DOE AFDC Station Locator](#) and on [PlugShare](#).

3. Payment Accessibility

Charging stations have the option either to require payment or not require payment from users. Payment options are at the discretion of the grantee who will operate and maintain the stations. Should payment be required to access and use the charging stations, accessibility and payment options shall be offered without restriction based on network membership or subscription. Payment options may include credit/debit card, subscription methods, smart cards, or smartphone applications. Proposal should clearly identify which payment options are to be provided, if applicable. Real-time pricing and fee information shall be displayed on the unit, payment screen or associated phone application.

4. Compliance with Americans with Disabilities Act/Accessibility

Stations installed under this grant are public accommodations and must be accessible to all drivers. Each successful applicant must demonstrate that the installation will meet the accessibility standards outlined in the Americans with Disabilities Act.

5. Commitment to Operations and Maintenance

All grantees are required to operate and maintain the charging stations for at least 5 years. In order to ensure that the installed equipment remains in good working order, each successful applicant must submit an operations and maintenance plan/schedule as part of the application. The original owner, as well as any successors, will be responsible for complying with the operations and maintenance plan throughout the duration of the equipment's use at the site.

6. Signage

In order to enable EV drivers to locate and identify charging sites, the project shall include signage which shall be displayed on the grounds of the project site(s) as follows:

- General Requirements: Signage complies with all applicable local, state, and/or federal laws, ordinances, regulations, and standards.
- On-Site: Clearly identifies the location(s) of the charging stations. On-site signage should identify parking is reserved for electric vehicles only.

7. Project Timeline

In order to be eligible for consideration, an applicant must demonstrate that the proposed project will start and be completed within the time frame set forth below.

September 10, 2020 -Grant Program announced and posted to MDE/MEA website for review period of 30 days.

October 20, 2020 -Grant Program announced and posted to MDE/MEA website ("Program Announcement").

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| January 10, 2021 | -Applications must be received by MDE by 5:00 PM EST.
-Confirmation will be sent to each applicant verifying receipt of application. |
| Winter 2021 | -Evaluation of grant applications. |
| Winter 2021 | -Award notification: notification of grant award or denial will be made to all applicants. |
| Winter 2021 | -Grant agreements sent to grantees that received award notifications. |
| Spring 2021 | -Executed grant agreements signed by both parties must be received by MDE.
-Project initiation can begin following execution of grant agreement by both parties. |

8. Eligible Costs

Eligible costs under this grant program include those costs directly attributable to the site design, equipment installation, labor, site preparation, upgrade for utility connections, signage and equipment necessary to implement and operate the proposed charging stations. Ineligible costs include mobile refueling equipment, the purchase of electricity to fuel the equipment, and any ongoing equipment and site maintenance costs.

Only costs incurred after the Program Announcement shall be eligible for funding. Costs incurred prior to Program Announcement are not eligible for funding and will not be reimbursed. Costs incurred after the Program Announcement but prior to execution of the grant agreement are made at the applicant's risk and might not be reimbursable.

VIII. Application Process

1. Application Instructions

Each interested party must complete an application and send it along with all required documentation to:

Maryland VW Webpage address

***Due to COVID19, all applications should be sent via email. However, if this is not possible, please contact MDE and arrangements will be made for delivery.** If sending hard copies of the application, the original and four photocopies should be supplied.

All applications must contain the name, mailing address, and email address of a representative able to receive communications related to this program.

Applications can be obtained by contacting MDE/MEA or online at:

<https://mde.maryland.gov/programs/Air/MobileSources/Pages/MarylandVolkswagenMitigationPlan.aspx>

2. Application Contents

Applicants must complete the CAGP application form found on the program webpage. In addition to the application form, proposals must include the following, **not to exceed 10 pages in length**:

- Information demonstrating that the project meets the requirements identified under Section VII Project Requirements.
- Description of the project location, including the specific street address of the proposed station. Description should include the following information for each proposed site:
 - An aerial map(s) (i.e. Google Maps – Satellite view) of the station location.
 - Number of chargers.
 - Identify geographic area served.
 - Identify distance from any transportation corridors.
- Documentation of ownership of the location identified in application or evidence that installation is allowed on the property (i.e., written permission of owner and/or pertinent language in lease, license agreement, or easement, etc.)
- Total estimated project cost and the specific grant amount the applicant is seeking to complete the project.
 - Charging equipment specification sheets
 - Project bid estimates
- Implementation timeline.
- Operations and maintenance plan/schedule.
- Signage plan.
- Narrative describing any experience installing, operating, or maintaining charging stations.
- Biographies of key project personnel.

3. Grant Selection

If an application is selected for a grant award and approved by the VW Trustee, a grant agreement between MDE and the applicant will be prepared that establishes the terms and conditions of the grant. Once the grant agreement is fully executed by both MDE and the applicant, the grantee may begin project work. A grant agreement is considered to be fully executed when the agreement has been signed by both MDE and the applicant as well as date stamped by MDE. The grantee may invoice MDE for grant funds after the project is completed. Once MDE receives the invoice (s), it will review and then send the invoices to the Volkswagen Trustee (Wilmington Trust). The Trustee will then send a check directly to the grantee.

In addition, please note that this Program provides a fixed grant award amount, and as such, cost overruns will not be reimbursed.

IX. Application Evaluations

An MD CAGP Review Team will be assembled to make grant award recommendations. This team will consist of members from MDE and MEA.

MDE may request supplemental information from an applicant to assist with evaluation of the application.

The MD CAGP Review Team will evaluate and score applications on a scale from 0-100 based on the following criteria:

- Likelihood of Use (up to 40 points)
 - Has the applicant demonstrated a significant need for the charging stations?
 - Has the applicant conducted an employee survey to gauge interest/demand for charging stations?
 - Does the employer already have employees that drive EVs?
- Project Readiness (up to 30 points)
 - To what extent are the key participants in the project (host site, equipment provider, installation sub-contractors, operator) identified and committed to the project?
 - How qualified are the proposed project participants in terms of demonstrated experience and capacity to execute this type of project?
 - Has the site been identified?
 - Is the site ready for construction or is there a viable make-ready plan in place?
 - How soon does the bid propose to install and make operational the station or stations?
 - Is the proposed timeline sensible, reasonable and likely to be met?
 - Has financing for applicant cost share been secured/committed?
- Project Sustainability (up to 30 points)
 - How compelling is the proposal's evidence or explanation about why the site or sites being proposed are likely to be sustainable and remain operational (for EV charging) over time?
 - Has the applicant developed an internal workplace charging management policy that governs access, security, usage, and other issues?
 - Access to EVSE
 - Registration and liability
 - Hours of use
 - Payment for use
 - Security of equipment
 - Etiquette for shared EVSE
 - Administration of EVSE operation and maintenance
 - What plans are there, if any, to future proof site for additional charging stations in the future?

X. Reimbursement Process

Grant payments will be disbursed as reimbursements after the work is completed. MDE reserves the right to conduct verification site visits to photograph the completed installation. Requests for reimbursement can occur after each individual station is installed or after all stations are installed for multi-station projects. Before reimbursement, awardees must submit the information listed below after project completion. After MDE approval of the final documentation, MDE will process the application for payment. All information will be sent to the Trustee and they will send a check directly to the awardee. Required documentation includes:

- Provide a signed payment request, on letterhead, for the amount to be reimbursed. Request should contain payee contact information.
- Copies of detailed invoices of all eligible project costs.
- Proofs of payment of all eligible project costs associated with the project.
- Photos of each EVSE unit (one photo of the installed EVSE and one photo of the EVSE serial number).
- Certification that the station infrastructure is fully operational.

All documentation required for reimbursement should be completed and submitted to MDE as soon as possible, but no later than the date specified in the grant agreement with MDE.

XI. Terms and Conditions

1. Reporting Requirements

All project award recipients may be expected to provide information and data to MDE upon request during the 5 year contract period. The type of information requested will be dependent upon the type of charger.

For an EV Charger that is *networked ("smart")*, award recipients are may be expected to periodically report to MDE the following information about each charger, on a form to be provided by MDE:

- Location: site name, EVSE ID number, address, city, zip, county
- In-service date
- Operational uptime
- Number of charge events
- Number of unique vehicles
- Average charge time per event (minutes)
- Average kW per charge event
- Total kWh consumed
- Gallons of gasoline and/or diesel fuel displaced (confirm displacement calculation methodology)

If the charger is *not networked (“dumb”)*, award recipients may be expected to periodically report an estimate of the following information for each charger:

- Estimated number of charging events
- Station status including notable malfunction or downtime events and resolution
- Any reported feedback from users.

2. Communication with MDE

The grantee shall notify MDE of any problems, operational changes, or ownership changes from the original project proposal. Any notification made in compliance with this condition should be made to MDE either by written letter or electronic email and should be provided within 10 days of the problem or change.

Any time extension requests shall also be submitted to MDE in writing via letter or electronic email.

3. Site Visits

Grantee shall allow MDE, or an MDE-authorized representative, to conduct project site visits during normal business hours. It is MDE’s intent to give reasonable notice to the grantee of any proposed site visit at least 24 hours in advance of the visit. To the extent provided by State law, neither the State, MDE, MEA, nor its agents, representatives, or employees, shall be liable for any property, product liability, personal injury, or any other types of claims, including claims based on the negligence of MDE, its agents, representatives, or employees, arising out of or related in any way to the activities of MDE, its agents, representatives, or employees at the project site.

4. Permits

Grantee is responsible for identifying and obtaining all local, State and federal permits and licenses necessary for the implementation and operation/execution of a project.

5. Historic Review

All undertakings assisted by MDE are subject to review and consultation under Section 106 of the National Historic Preservation Act and/or the Maryland Historical Trust Act of 1985. The purpose of this review is to consider the effects of projects on historic properties. Project areas that do not contain buildings, structures or significant landscape features more than 45 years old and are not recorded in the Maryland Inventory of Historic Properties may be exempted from this review process. Grant applicants should provide MDE with street addresses and an aerial map (i.e. Google Maps – Satellite view) showing the project location in order to conduct the required historic preservation review.

6. Additional Grantee Responsibilities

The grantee will be responsible for the additional responsibilities listed below:

- day-to-day customer service actions such as managing driver access and providing driver support and station uptime monitoring,
- prompt maintenance and repair, and
- marketing

7. Confidentiality of Information

MDE and MEA will treat information clearly and reasonably identified by the applicant as confidential commercial information or as a trade secret in accordance with Maryland's Public Information Act (PIA) as set forth in Title 4 of the General Provisions Article of the Annotated Code of Maryland.

XII. Contact Information

Any questions regarding these guidelines and applications should be directed to:

Maryland VW Webpage or email address
Tim Shepherd
MDE Mobile Sources Division Chief
TEL: 410-537-3236
FAX: 410-537-4435
tim.shepherd@maryland.gov