



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

Infrastructure Solicitation
Program Guidance

<https://www.baaqmd.gov/infrastructure>

Strategic Incentives
Bay Area Air Quality Management District

Published June 10, 2024

Revised July 16, 2024, June 20, 2024

Contents

About the Bay Area Air Quality Management District	3
Infrastructure Solicitation Overview.....	3
How Award is Determined	3
Tentative Program Schedule and Key Dates/Deadlines.....	4
How to Apply.....	4
Application Requirements	4
Eligible Applicants.....	6
Project & Equipment Minimum Requirements	7
Funding and Eligible Project Costs.....	8
Evaluation Process and Selection Criteria	10
Grantee Obligations	11
Funding Sources.....	12
Questions & Responses.....	12
Other Funding Opportunities	12
Definitions.....	13
Appendix A: Assembly Bill 617 Communities	15

About the Bay Area Air Quality Management District

The California Legislature created the Bay Area Air Quality Management District (Air District) in 1955 as the first regional air pollution control agency in the country. The Air District is tasked with regulating air pollution in the nine counties that surround the San Francisco Bay: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, southwestern Solano, and southern Sonoma counties. The Air District offers financial incentives for projects that improve air quality, reduce air quality health impacts, and protect the global climate.

Infrastructure Solicitation Overview

The goal of this competitive solicitation is to award grant funding for the installation and operation of permanent electric infrastructure that will spur the adoption of zero-emission vehicles and equipment in the Bay Area, expedite air quality improvements and the transition to zero-emission in Priority Communities, and be placed into service by **early 2027**. Up to \$35 million is available for the installation of new or the expansion of publicly and non-publicly accessible electric chargers and infrastructure. The chargers may be used to support all categories of heavy-duty equipment and vehicles, including but not limited to on-road vehicles above 14,000 lbs. in gross vehicle weight rating (GVWR), such as transit and school buses and trucks; mobile off-road equipment including agricultural equipment, construction equipment, transportation refrigeration units (TRU), forklifts, cargo handling equipment, airport ground support equipment; locomotives; and marine vessels. Additionally, chargers may support primarily on-road vehicles that are above 8,500 lbs. but below or equal to 14,000 lbs. in GVWR, only if the proposed chargers are non-publicly accessible, will be strictly used for fleet charging, and is located at the applicant's site.

The Air District reserves the right, at its sole discretion, to modify this solicitation and to increase or decrease the amount of funds available under this solicitation. The Air District also reserves the right to cancel this solicitation, amend the solicitation as needed, reject any or all applications received in response to this solicitation, and issue a second solicitation round if needed.

How Award is Determined

Each site within a proposal will be evaluated independently. Sites that meet all basic eligibility requirements will compete based on the selection criteria and will be scored and ranked based on those criteria. Unless the Air District exercises any of its other rights regarding this solicitation (e.g., to cancel the solicitation or reduce funding), sites that meet the basic eligibility requirements will be recommended for funding in ranked order until all funds available under this solicitation are exhausted.

If the funds available under this solicitation are insufficient to fully fund a proposed site, ***the Air District reserves the right to recommend partially funding that proposal.*** In this event, the proposed Awardee and Air District staff shall meet and attempt to reach agreement on a reduced scope of work commensurate with the level of available funding.

Tentative Program Schedule and Key Dates/Deadlines

DATE*	ACTIVITY
June 10, 2024	Application period begins, and solicitation opens.
June 25, 2024 at 2 PM PDT	Webinar on solicitation.
July 10, 2024	Deadline for written questions. Questions will be answered as they come in and posted online every two weeks.
August 1, 2024 at Noon PDT	Application period ends and solicitation closes.
November 2024	Initial evaluation and ranking will be announced and brought to Board of Directors for approval. Upon Board approval, proposed contracts will be sent to applicants for execution.
Within 30 days of receiving the proposed contract	Applicants must execute contracts or forfeit grant award.
By December 31, 2024	Contracts are executed and a Notice of Award will be sent out to grantees (i.e., Grantees may begin work on their projects).
Within 6 months from the date of the Notice of Award	Grantees submit purchase order for the equipment and/or contract for the installation work.
Within two years from the date of the Notice of Award	All work to install funded chargers is completed, Grantees submit reimbursement requests, and chargers to be operational and begin to collect data and report annually.
Spring 2030	Grantees that have met their required usage submit their final report.

* Timeline is subject to change.

How to Apply

Applicants are encouraged to review this Program Guidance and available materials on the program's website: <https://www.baaqmd.gov/infrastructure> and attend the Program webinars.

To apply, please visit: <https://www.baaqmd.gov/funding-and-incentives/apply-for-funding>
Please review the 'How to Apply' documentation on the website before starting the application.

Application Requirements

Only completed applications that are received by the deadline will be reviewed and evaluated.

Most of the information requested below will be needed to fill out the online application. In addition, applicants will need to complete a spreadsheet with details on their sites and upload required documentation. A checklist of required documentation is available on the program website.

- Organization information:
 - Business/Agency/Organization name, address, email, and telephone number
 - Primary and secondary contact details (one of two contacts must be person authorized to sign the contract)
 - Business, agency, or organization's [IRS W-9 Form](#)
 - Qualifications of applicants/partners, including years of experience installing charging infrastructure and number of successful projects completed to date.
- Site information:
 - Site name and address
 - Site is either publicly accessible or non-publicly accessible
 - Zoning code for parcel and current activity
 - For on-road vehicles, distance to the closest freeway on and exit ramp
 - Whether project services a port/rail/freight facility
 - Priority Community served (may be based on the vehicles/equipment that use the supporting infrastructure); proximity to sensitive receptor
 - Statement of need (see selection criteria)
 - Readiness documentation (see selection criteria)
 - Description of the geographic location, including latitude and longitude, and an aerial map (e.g., satellite view from an internet-based map or city/county map)
 - List of permits required by which permitting bodies and an attestation that applicant is not aware of any limitations to permitting and that applicant can obtain all required permits to install and operate the chargers
 - Documentation of property ownership or a long-term lease, easement, or other legal arrangement with a minimum of 3 years remaining after project is installed and placed into service (e.g., deed, lease agreement). If the legal name on the documentation is not, word-for-word, the same as the legal name of the applicant, provide an explanation and provide documentation showing that the two names are the same entity.
 - Documentation that power is being or will be provided to the site (e.g., payment to the local utility company for power installation, quote from power installation company, designs for installing power, or letter from local utility stating that power can be provided with timeframe and estimated cost).
- Project specific information (required for each site):
 - New project or expansion of existing project (upgrades are not allowed)
 - Charger Type (e.g., Level 2, DC Fast) and charger kW rating
 - Site kW available for charging when all chargers are used at the same time, given the limitation of the available electrical capacity of the site, limitation from any load management software, and other limitation
 - Charger (or dispenser and cabinet) make and model and quantity of each
 - Specification sheets for the electric charging equipment
 - Total number of chargers/dispensers

- Number of ports per charger/total number of ports
- Estimated monthly energy dispensed (kWh)
- Estimated number of monthly charging events
- Number of unique vehicles or equipment using the chargers (over term of contract)
- Vehicle or equipment type (transit, truck, etc.) that will use the charger and the GVWR for on-road vehicles and the horsepower rating for off-road equipment, marine vessels, and locomotives.
- For solar/wind projects, submit designs and proof that at least 50% of the energy from the chargers will come from that source
- Timeline of the project and where the applicant currently is in the timeline.
- Financial Documentation
 - Grant amount requested
 - Itemized quote(s) showing costs by line item.
 - Itemized budget showing total project costs (identify which are eligible and ineligible costs) grouped by the following categories:
 - Cost of equipment and associated materials. Indicate the quantity of each piece of equipment (e.g., dispenser, cabinet).
 - Cost of installation including labor and equipment
 - Cost of Design and Engineering
 - Cost of permitting
 - Other eligible costs

Note that the budget should be consistent with the itemized quote.

 - List of all co-funding sources, the amounts, and whether it is secured or unsecured. Applicants are responsible for checking whether co-funding is possible with Carl Moyer and CAP funds. Additionally, provide attestation that there are no other sources of co-funding and that the project will not be reimbursed for an amount greater than the cost of the project.
- Compliance:
 - A completed [Air District regulatory compliance statement](#)

Eligible Applicants

- All entities (both public and non-public) that have a Taxpayer Identification Number (TIN) are eligible.
- Applicants, and any known parent company and affiliates operating at the same site as where the proposed project will operate, must be in compliance with air pollution control laws.
- Applicants must be in good standing with the Air District.
- Applicant must own the property where the infrastructure will be installed or have a long-term lease/easement, or other legal arrangement that goes out at least three years past the date that the infrastructure is scheduled to be installed.

The Air District reserves the right to deny funding to applicants with a poor compliance status or history regarding air pollution control laws, and applicants related to companies with a poor compliance status or history regarding air pollution control laws.

Project & Equipment Minimum Requirements

This solicitation will fund only projects that procure new or expand permanent, electric battery-charging infrastructure that supports heavy- and medium-duty vehicles and off-road, marine, and locomotive equipment. At a minimum, projects must:

- Be permanently installed at a location within the Air District's jurisdiction and maintained in service for a minimum term of 3 years, or longer.
- Have work performed by contractors and/or electricians that meet all required licensing, certification, and statutory requirements.
- Be voluntary and surplus. Projects cannot be mandatory or used to meet local or state compliance or other requirements before completion of the grant contract term.
- Be located on a parcel that is not zoned as residential or located adjacent to property that is not zoned residential (for infrastructure supporting on-road vehicles).
- Have a purchase order for the equipment and/or contract for the installation work in placed within six months from the date of the Notice of Award.

For publicly accessible chargers, they must:

- Be accessible to the public 24 hours a day or as many hours as allowed by local ordinance.
- Maintain at least 95% uptime with 24/7 customer service available on site, via a toll-free telephone number. If equipment is not functional, the Grantee is responsible for ensuring that repairs are made, and chargers are up and running within 48 hours. This excludes extraordinary events such as accidents, power loss, natural disasters, network outages, planned utility outages, theft, and vandalism.

Equipment requirements:

- Electric chargers must be stationary, permanent, and connected to the electric grid. Mobile chargers will not be considered.
- Chargers must be at least a level 2 charger with a 6.6 kW output or higher.
- Equipment must use a valid and universally accepted charge connector protocol (e.g., Society of Automotive Engineers (SAE), CHAdeMO).
- Equipment must be certified by a Nationally Recognized Testing Laboratory (e.g., Underwriter's Laboratories, Intertek) located at <https://www.osha.gov/dts/optca/nrtl/nrtllist.html>.
- Charging equipment must have at least a three-year warranty.
- The equipment and parts must be new. Remanufactured or refurbished equipment and parts are not eligible.
- Chargers must have an uptime in which they are operational for at least 95% of a charging site's total standard hours of operation for the duration of the project's

operational period. This excludes extraordinary events such as accidents, power loss, natural disasters, network outages, planned utility outages, theft, and vandalism.

- For charging infrastructure supporting off-road equipment: the zero-emission off-road electric equipment must be mobile. Projects that propose more than one charger per piece of equipment can be considered based on potential operational needs. Note that infrastructure supporting non-mobile TRUs (e.g. trailer mounted TRUs that have off-road engines) will also be considered.

Funding and Eligible Project Costs

A total of \$35 million is available for awards under this solicitation. At least 80% of the available funds will be awarded to infrastructure projects that support vehicles or equipment that operate within the Air District’s Priority Communities. This solicitation seeks to make at least seven awards. The maximum award to a single applicant is \$20 million; however, there is no cap on the number of charging sites for which an applicant may apply. The minimum award amount per site is \$10,000. ***The Air District reserves the right, at its sole discretion, to modify the maximum award to a single applicant, to waive the minimum award amount if the project otherwise scores highly in the ranking process, and to modify the minimum award to a single site.***

Funding may only be awarded for eligible costs that are directly related and limited to the purchase and installation of the equipment for power delivery and charging.

The table below shows the funding that may be awarded, as a percentage of eligible costs, based on a site’s location and other project attributes. Applicants that are non-public entities must provide at least 15% of eligible costs from non-public sources.

Project Type	Maximum Percentage of Eligible Cost	
	Does <i>NOT</i> provide emissions reductions in a DAC****	Provides emissions reductions in a DAC
Any infrastructure project	Up to 50%	Up to 60%
Any infrastructure project located at a sensitive receptor*	Up to 50%	Up to 100%
Publicly accessible project	Up to 60%	Up to 70%
Projects with solar/wind power systems**	Non-publicly accessible projects up to 65% Publicly accessible projects up to 75%	Non-publicly accessible projects up to 75% Publicly accessible projects up to 85%
Infrastructure for public school buses	Up to 100%	Up to 100%
Additional plus-up incentive for projects also serving a port, railyard, or freight facility	--	+10% ***

* A sensitive receptor is any residence including private homes, condominiums, apartments, and living quarters; education resources such as preschools and kindergarten through grade twelve (K-12) schools; daycare centers; and health care facilities such as hospitals or retirement and nursing homes. A sensitive receptor includes long-term care hospitals, hospices, prisons, and dormitories or similar live-in housing. Definition is from Community Air Protection Incentives 2019 Guidelines.

** at least 50% of the power comes from these sources.

***Funding of eligible costs is not to exceed 100%.

****Disadvantaged Community. See *Definitions* for more information.

The eligible costs listed below must utilize commercially available technologies:

- Cost of design and engineering, (i.e., labor, site preparation, Americans with Disabilities Act accessibility, signage)
- Cost of equipment (e.g., charging/fueling units, electrical parts, energy storage equipment, materials)
- Cost of installation directly related to the construction of the project
- Meter/data loggers
- On-site power generation system that fuels or powers covered sources (i.e., solar and wind power generation equipment)
- Fees incurred pre-contract execution (i.e., permits, design, engineering, site preparation), license fees, environmental fees, commissioning fees (safety testing), and onsite required safety equipment
- Federal, sales, and other taxes
- Shipping and delivery costs
- Consulting fees associated with the preparation of Environmental Assessment, Environmental Impact Statement, Environmental Impact Report, or other California Environmental Quality Act (CEQA) documents, etc.

Ineligible costs include but are not limited to:

- Existing charger maintenance and/or upgrades (e.g., improvements to a battery chargers without increasing the output capacity)
- Fuel and energy costs
- Non-essential equipment hardware
- Operation cost (e.g., operational fees, maintenance, repairs, improvements, spare parts)
- Extended warranty
- Insurance
- Grantee administrative costs
- Travel/lodging
- Employee training and salaries
- Legal fees
- Real estate property purchases/leases
- Performance bond costs
- Construction management
- Storm water plan costs
- Security costs

- Testing and soil sampling
- Hazardous materials, including permitting, handling and disposal
- Vehicle and off-road, marine, and locomotive equipment purchases
- Any costs incurred prior to the execution of a funding agreement, unless specifically designated as an eligible cost

Evaluation Process and Selection Criteria

Each site within a proposal will be evaluated independently. All completed applications that are received by the deadline will first be reviewed for basic eligibility according to the Carl Moyer Program Guidelines and requirements described in this Program Guidance. ***The Air District reserves the right to follow up with applicants if clarification is needed.*** All sites that meet the basic eligibility requirements will then be ranked based on the Board-approved selection criteria that are listed below. Once a ranking list is created, staff will bring a recommendation to the Board to award funding to the highest ranked projects.

At least 80% of the available funds will be awarded to infrastructure projects that support vehicles or equipment that operate within the Air District's Priority Communities.

Selection Criteria:

- First, projects will be reviewed to determine whether the chargers will be used at the proposed location by evaluating the project's **Statement of Need** documentation that may include one or more of the following:
 - Evidence that the applicant owns the equipment/vehicles that would use the chargers.
 - Evidence that the applicant or another entity owns or has a purchase order for the vehicles or equipment that would use the chargers.
 - Evidence that there is going to be a need for the chargers, such as an upcoming compliance deadline coupled with documentation about the inventory of vehicles in the area.
 - Other documentation showing that chargers would be used immediately after installation.
- Second, eligible projects would be evaluated to determine their potential to be installed and operating within two years from the Notice of Award, as evidenced by the project meeting at least two of the following **Readiness Criteria**:
 - Completed all applicable California Environmental Quality Act (CEQA) requirements: filed a notice of exemption or a completed CEQA determination, or if a public agency, a plan to complete CEQA within 6 months of the Notice of Award.
 - Obtained all applicable permits.
 - Completed 60% of design or determination that no designs are needed.
 - Approved site plan by the permitting agency or determination that no site plan is needed.
 - Completed utility assessment of the site that demonstrates sufficient capacity, including information such as distance to the grid and/or power access.
- Next, all projects that passed the first two criteria would be ranked by **grant dollars**

requested divided by total amount of kilowatts (kW) available for charging at the site.

If oversubscribed or if a tiebreaker is required between two or more projects or sites, projects or sites would be further prioritized based on their proximity to sensitive receptors, which include schools, daycare centers, and healthcare facilities.

The Air District reserves the right to utilize this list in the future if other funds are available in the future.

Grantee Obligations

The following are the obligations that the Grantees are required to follow:

- Execute the funding agreement and return to the Air District within 30 days of receipt.
- Ensure that the installation of funded equipment is performed in accordance with Public Utilities Code 740.20 and by a contractor with the appropriate license classification, as determined by the Contractors' State License Board, ***and a minimum of 25% of the electricians on each crew, at any given time, hold an Electric Vehicle Infrastructure Training Program (EVITP) certification.*** To find a contractor that uses EVITP installers, visit: <https://evitp.org/find-a-contractor>. If a project is not subject to the requirements of AB 841, the applicant must notify the Air District at the time of application that it is exempt and provide an explanation of the reason for the exemption.
- Grant the Air District security interest in the Project Equipment that has been purchased partially or entirely with funding by the Air District. A completed Uniform Commercial Code-1 Financing Statement Form will be submitted by the Air District to the California Secretary of State. The financing statement must list the Air District as the secured party.
- Maintain and operate the funded equipment for a minimum of three years and meet the contractual usage requirement that is based on the information provided by the Grantee in the application.
- Submit annual progress reports on the project details including but not limited to usage and up-time.
- Comply with all applicable federal, State, local laws and requirements including environmental laws, and State building, environmental and fire codes.
- Obtain and maintain liability and any other necessary insurance for the duration of the project term.
- Be bound by all the provisions of State Labor Code Section 1771 regarding prevailing wages paid to workers employer on public works and to provide confirmation of compliance if requested.
- Pay 100% of all required up-front costs (prior to reimbursement), and all costs more than the grant amount.
- List the funded charger locations on the US Department of Energy Alternative Fueling Station Locator website.
- Acknowledge the Air District as a funding source in a visible location at the site and in communications promoting the site.
- Allow Air District staff or its authorized representatives to inspect the project and conduct financial audits and agree to make available to the Air District all records relating to project performance and expenses incurred.

A copy of a draft funding agreement will soon be available on the Air District's website in the Resources section located at <https://www.baaqmd.gov/funding-and-incentives/apply-for-funding>.

Funding Sources

The Air District may award funding from any of its available grant revenue sources including the Carl Moyer Memorial Air Quality Standards Attainment Program, Community Air Protection (CAP) Incentives Program, Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program, Mobile Source Incentive Fund, Transportation Fund for Clean Air, and settlement funds. The guidelines of these funding sources guide the eligibility and evaluation process and selection criteria for this solicitation. At a minimum, all projects must meet the requirements of the Carl Moyer Guidelines.

FARMER and CAP Incentives programs are part of California Climate Investments, a statewide initiative that puts billions of Cap-and-Trade dollars to work reducing greenhouse gas emissions, strengthening the economy, and improving public health and the environment — particularly in disadvantaged communities.



Questions & Responses

Applicants may submit written questions by e-mail to the Air District at grants@baaqmd.gov with the subject line: *Infrastructure Solicitation Question*. Answers to questions will be posted on the Solicitation website every two weeks until July 10, 2024. Questions received after the deadline may be answered at the Air District's discretion. **As this is a competitive solicitation, Air District staff will not be holding individual meetings with applicants regarding their specific projects.** Non-technical questions (e.g., questions concerning application format requirements or attachment instructions) may be submitted by email to grants@baaqmd.gov at any time prior to noon PDT the day before the application deadline date.

Other Funding Opportunities

The Air District has multiple funding opportunities available throughout the year for heavy- and medium-duty vehicles and equipment, and their supporting infrastructure, as well as light duty charging infrastructure. To learn more about funding opportunities offered by the Air District, please visit our website at www.baaqmd.gov/grants.

Definitions

Applicant: any person, company or organization who will own and operate the funded equipment.

Assembly Bill 617 Communities: Assembly Bill 617 (AB 617) requires air districts to develop and implement additional emissions reporting, monitoring, reduction plans, and measures in an effort to reduce air pollution exposure in disadvantaged communities. The AB 617 communities in the Bay Area Air District’s jurisdiction include West Oakland and East Oakland in Alameda County, Richmond/San Pablo in Contra Costa County, and Bayview-Hunters Point in San Francisco. See *Appendix A* for the geographic boundaries.

Charger: chargers consist of the conductors, including the ungrounded, grounded, and equipment grounding conductors and the electric vehicle/equipment connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of delivering energy from the premises wiring to the electric vehicle/equipment. A charger has one or more charging ports for charging electric vehicles.

Charging Port: the system within a charger that charges one electric vehicle/equipment. A charging port may have multiple connectors, but it can provide power to charge only one electric vehicle (or one piece of electric equipment) through one connector at a time.

Disadvantaged Communities (DAC): for the purpose of SB 535, these areas are designated by the California Environmental Protection Agency as the top 25% most impacted census tracts experiencing disproportionate amounts of pollution, environmental degradation, and socioeconomic and public health conditions as shown in CalEnviroScreen 4.0, census tracts previously identified in the top 25% in CalEnviroScreen 3.0, census tracts with high amounts of pollution and low populations, and federally recognized tribal areas as identified by the Census in the 2021 American Indian Areas Related National Geodatabase. DACs are shown shaded YELLOW and GREEN in the [California Climate Investments Priority Populations 2023 map](#).

Dispenser: See definition for *charger*.

Electric Vehicle (EV): a vehicle that is propelled solely by an electric motor and is capable of being recharged from an external source.

Infrastructure: means the equipment used to enable the use of electric powered vehicles (e.g., electric vehicle charger).

Low-income communities (LIC): for the purpose of AB 1550, these areas are defined as census tracts with median household incomes at or below 80 percent of the statewide median income or with median household incomes at or below the threshold designated as low-income by Housing and Community Development’s State Income Limits. LICs are shown shaded in BLUE and GREEN in the [California Climate Investments Priority Populations 2023 map](#).

Off-road equipment: any equipment with a certified off-road engine or equipment performing off-road activities (such as yard trucks with on-road engines at ports).

Priority Communities: include AB 617 communities (i.e., West Oakland and East Oakland in Alameda County, Richmond/San Pablo in Contra Costa County, and Bayview-Hunters Point in San Francisco), SB 535 Disadvantaged Communities (DAC), and AB 1550 Low-Income Communities (LIC). DACs and LICs are shown shaded in YELLOW, BLUE, and GREEN in the [California Climate Investments Priority Populations 2023 map](#). Also see definitions for *Assembly Bill 617 Communities*, *Disadvantaged Communities*, and *Low-income communities*.

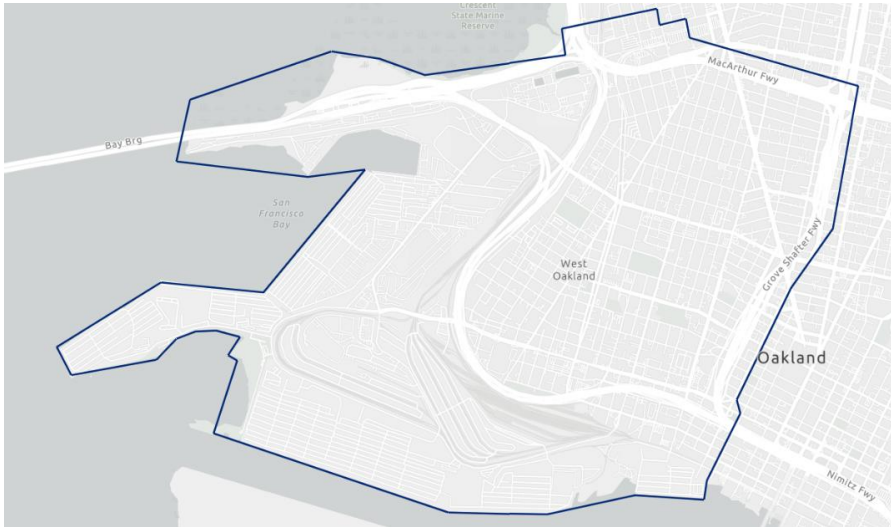
Project term: The project term commences on the date the Funding Agreement is executed and continues until the Grantee has completed all contractual obligations.

Sensitive receptor: A sensitive receptor is any residence including private homes, condominiums, apartments, and living quarters; education resources such as preschools and kindergarten through grade twelve (K-12) schools; daycare centers; and health care facilities such as hospitals or retirement and nursing homes. A sensitive receptor includes long-term care hospitals, hospices, prisons, and dormitories or similar live-in housing. Definition is from Community Air Protection Incentives 2019 Guidelines.

Site: Location where the chargers will be located.

Appendix A: Assembly Bill 617 Communities

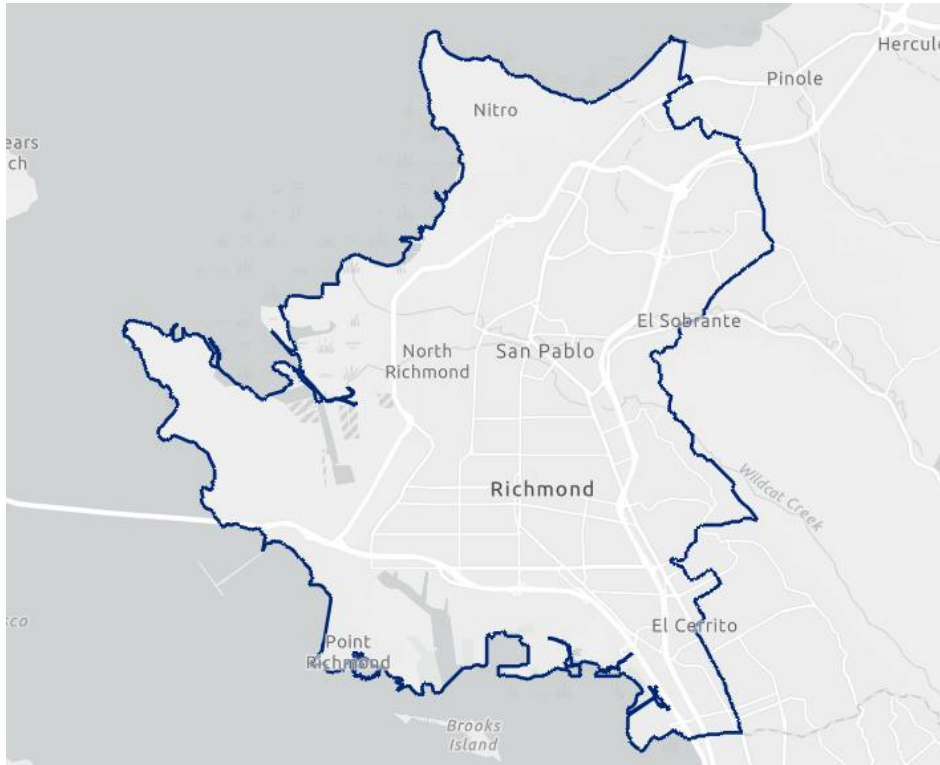
West Oakland:



East Oakland:



Richmond-San Pablo:



Bayview-Hunters Point/Southeast San Francisco:

