



BAY AREA AIR QUALITY
MANAGEMENT DISTRICT



CHARGE! PROGRAM

DRAFT GUIDANCE FOR FISCAL YEAR ENDING (FYE) 2025

www.baaqmd.gov/charge

Charge! is a grant program that helps offset a portion of the cost of purchasing and INSTALLING NEW LIGHT-DUTY ELECTRIC VEHICLE chargers AT QUALIFYING FACILITIES in the bay area.

The Charge! Program will tentatively open in Quarter 1, 2025.

Please provide any comments regarding the Draft Program Guidance to Charge! Program staff at charge@baaqmd.gov by 5:00PM PST on January 10, 2025.

Please read this package completely before filling out an application; incomplete applications may be rejected and/or ranked lower.

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FYE 2025 Charge! Program Changes

This is a summary of major program changes, and not a complete list of all the changes in the document.

- **Changes to terms:** Active connectors are now called charging ports, to align with the National Electric Vehicle Infrastructure (NEVI) Standards and Requirements (23 CFR Part 680) definition. Terms have been revised and added in the Definitions section.
- **Charger requirements:** Level 2 (low) and Level 2 (high) output ratings, and Level 2 and DC Fast connector requirements have been revised. The uptime, public availability, safety certification, and payment requirements have been revised and interoperability and charging network connectivity requirements have been added to align with the NEVI Standards and Requirements. Publicly available charging projects now must also comply with all the NEVI Standards and Requirements (projects exclusively at Multi-Family Housing sites may be exempt).
- **Charger types and counts:** Projects must now include the specified type and minimum number of charging ports listed in the General Application Eligibility and Requirements section. Level 1 and Level 2 (low) chargers may now only be installed at Multi-Family Housing facilities.
- **Cost sharing/matching funds:** The minimum cost sharing/matching funds from the applicant, site owner/operator, or another incentive program is now 20% (previously 15%). If projects are co-funded with multiple funding sources, it is the responsibility of the applicant to ensure all requirements and deliverables are met.
- **Eligible project costs:** Eligible project costs have been updated.
- **Evaluation criteria:** The evaluation criteria and point distribution have been updated.
- **Facility types:** Transportation Corridor is no longer one of the facility types. Eligible facility types now include Destination, Multi-Family Housing, Transit Parking, and Workplace.
- **Federal requirements:** Projects with publicly available charges must comply with Buy America, the Charging and Fueling Infrastructure (CFI) General Terms and Conditions, the NEVI Standards and Requirements (23 CFR Part 680), the National Environmental Policy Act (NEPA), and be bound by Form FHWA-1273. See the Appendix below for information. Projects exclusively at Multi-Family Housing sites may be exempt from these requirements.
- **Funding levels:** Base/plus-up grant award amounts have been updated for all port types (Level 1, Level 2 [low/high], DC Fast).
- **Grantee/Project Sponsor obligations:** Grantees/Project Sponsors must now provide a Unique Entity Identifier to the Air District. Reporting requirements have been updated, including new quarterly reports during the Operational Period.
- **Maximum grant award:** Multi-Family Housing and case-by-case private Workplace projects funded with the Transportation Fund for Clean Air (TFCA) Program are subject to TFCA award limits. Projects with publicly available chargers funded with the Charging and Fueling Infrastructure Discretionary Grant Program are not subject to award maximums. At least \$15,000,000 is available for publicly available chargers. The total program budget is \$20,000,000. Minimum qualifying grant award amounts have not changed.
- **Operational Period:** The operational period is now five years (previously three years).
- **Plus-up funding:** The plus-up criteria now include Justice40 communities and rural areas.

Please read this package completely and submit any questions or comments to charge@baaqmd.gov.

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I. 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, recognizing that air pollution transcends political boundaries. The Air District is the public agency entrusted with regulating, measuring, and reducing sources of air pollution in the nine counties that surround San Francisco Bay: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, southwestern Solano, and southern Sonoma counties.

Tailpipe emissions from on-road motor vehicles account for more than 40% of the criteria air pollutants and about 41% of the greenhouse gases (GHG) emitted¹ and contribute to unhealthy levels of ozone ('smog') and particulate matter in the Bay Area. Significant emissions reductions from the on-road transportation sector are needed to attain state and federal ambient air quality standards and GHG emission reduction targets. The Air District uses incentives to accelerate the adoption of low emission mobile sources and technologies.

In December 2013, the Air District, in collaboration with its partners (Metropolitan Transportation Commission, Association of Bay Area Governments, local Bay Area government agencies, and other electric vehicle [EV] stakeholders), issued the [Bay Area Plug-In Electric Vehicle Readiness Plan](#) (Plan) to ensure coordinated investments in zero-emission vehicles. This comprehensive regional Plan outlines a series of strategies and best practices for accelerating the adoption of EVs, and also establishes adoption goals of 110,000 EVs on Bay Area roads by 2020, and 247,000 EVs by 2025. Similarly, the Air District's [EV Acceleration Plan](#) has established interim EV adoption goals of 1.5 million EVs on Bay Area roads by 2030, and having 90% of Bay Area vehicles being zero emissions by 2050.² These goals are aligned with the state's goals of five million zero-emissions vehicles (ZEVs) by 2030 and nearly 100% ZEVs by 2050.

On September 23, 2020, California Governor Gavin Newsom issued Executive Order (EO) N-79-20 setting new statewide goals for phasing out light-duty internal combustion engine vehicles. On August 25, 2022, the California Air Resources Board (CARB) approved the [Advanced Clean Cars II Rule](#), which codifies EO N-79-20.³ By 2035, 100% of new cars and light trucks sold in California will be zero-emission vehicles, including plug-in hybrid electric vehicles.

The Air District does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law in administration of its programs or activities, and the Air District does not intimidate or retaliate against any individual or group because they have exercised their rights to participate in action protected by or oppose actions prohibited by 40 C.F.R. Parts 5 and 7, or for the purpose of interfering with such rights. It is the Air District's policy to provide fair and equal access to the benefits of a program or activity administered by the Air District. The Air District will not tolerate discrimination, intimidation, or retaliation against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. This non-discrimination policy also applies to other people or entities affiliated with the Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

The Air District, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all applicants that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit applications in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

¹ [Bay Area Air Quality Management District, Clean Air Plan 2017](#), April 2017.

² [Bay Area Air Quality Management District, EV Acceleration Plan](#), March 2021.

³ [California Air Resources Board, California moves to accelerate to 100% new zero-emission vehicle sales by 2035](#), August 2022.

II. CHARGE! PROGRAM

Charge! is a grant program that helps offset a portion of the cost to purchase and install new publicly available chargers at qualifying facilities, and private chargers to serve Workplaces (on a case-by-case basis) and Multi-Family Housing locations [within the Air District's jurisdiction](#). The chargers must serve light-duty vehicles with a gross vehicle weight rating (GVWR) of 8,500 pounds or lighter. Funding is available to homeowner associations, non-profits, public agencies, private businesses, and tribes through a competitive solicitation and is paid to Grantees/Project Sponsors on a reimbursement basis after the chargers are placed into service. Grant awards are based on the anticipated electricity that a charging port can deliver to EVs, and hence its potential to shift drivers away from internal combustion engine vehicles and reduce both petroleum use and air pollution. The Air District reserves the right to modify this solicitation at its sole discretion.

III. HOW TO APPLY

Charge! Program applications will be completed and submitted through [Fluxx](#), the Air District's online application system. Interested parties may visit the [Charge! Program website](#) to sign up for email alerts and updates. Please read this guidance completely before filling out an application; incomplete applications may be rejected and/or may be ranked lower. Applicants are encouraged to review and reference the Fluxx Application User Guide (available on the *Charge!* Program website) which describes the online application process. Please contact *Charge!* Program staff at charge@baaqmd.gov (subject "RE: *Charge!* Program Application") for assistance with application submittal.

IV. PROGRAM DETAILS

1. GENERAL SOLICITATION GUIDANCE

The Air District may:

- Select one or more proposals for this award;
- Award less than the total program budget of \$20,000,000 if there are not enough qualified applications;
- Partially fund applications by funding discrete portions of proposed projects. If the Air District decides to partially fund an application, it will do so in a manner that does not prejudice any applicants or affect the basis upon which the application was evaluated and selected for award, thereby maintaining the integrity of the competition and selection process;
- Follow-up with applicants if clarification is needed;
- Place eligible proposals on a backup list that could be funded if additional funds become available;
- Cancel this solicitation;
- Revise the amount of funds available under this solicitation;
- Amend this solicitation as needed;
- Reject any or all applications received in response to this solicitation;
- Issue a second solicitation round if no sufficient project is found in first round;
- Fund projects with applicants using leftover, remaining funds from this current solicitation if selected applicants withdraw their project or are unable to complete the project as proposed; and
- Allow project component substitutes, cancel or re-rank projects at the Air District's discretion.

2. FYE 2025 PROGRAM FUNDING PRIORITIES

The Air District will prioritize projects that install EV charging at multi-family housing (specifically affordable and below market rate housing sites), and projects located in environmental justice communities or rural areas. A description of rural areas is provided in the Definitions section below. A *Charge!* Program goal is to award a minimum of 60% of the total available *Charge!* Program funding to projects located in [Priority Population Areas](#), as defined by the CARB using [CalEnviroScreen 4.0](#) data, or [Justice40 Communities](#), as defined by the Council on Environmental Quality (CEQ) using the [Climate and Economic Justice Screening Tool](#) 1.0 version.

3. FUNDING OPTIONS

Each eligible charging port in a Charge! Program project can receive up to the pre-determined amount of funding specified on Table 1.

Applicants may combine Charge! Program funds with other incentive programs, as allowed by the other programs and approved by the Air District. A minimum of 20% cost sharing/matching funds from the applicant, site owner/operator, or another incentive program is required for all projects. Charge! Program grant funds cannot exceed 80% of a project’s total project cost. In no event shall the total of the public incentives received exceed 100% of the eligible project costs. Grantees/Project Sponsors that receive multiple incentives for a project must meet all criteria associated with each individual funding source. Grantees/Project Sponsors must disclose information on the total grant funds received (or applied for) from all sources at the time of application and provide a breakdown of project costs by funding source. Grantees/Project Sponsors must track expenditures by funding source and indicate which funding source is being applied for each invoice when reimbursement is requested.

FUNDING

The maximum project grant award amount will be the lesser of:

- Total eligible funding based on Table 1 below, or
- 80% of the project’s eligible total project cost.

Table 1: Maximum Award amount for each port type for projects located at qualifying Destination, Multi-Family Housing, Transit Parking, and Workplace facilities

BASE FUNDING				
Charger Type	Level 1/Level 2 (low)	Level 2 (high) ⁴	DC Fast ⁴	
Charging Port Output Rating ⁵	1.4-5.99 kW	6+ kW	50 - 149.99 kW	150+ kW
Facility Type	Multi-Family Housing only	Any	Any	Any
Base Funding Per Charging Port	\$2,000	\$5,000	\$35,000	\$45,000
PLUS-UP FUNDING				
The Charge! Program also offers Plus-Up funding, on top of Base funding, for projects who meet one or more of the following:				
Priority Population Areas, Justice40 Communities, or Rural Areas⁶	\$750	\$2,000	\$15,000	\$15,000
Multi-Family Housing	\$750	\$2,000	-	-
Maximum Funding Per Charging Port, Including All Plus-Up Funding	\$3,500	\$9,000	\$50,000	\$60,000

⁴ See minimum charging port counts in the General Application Eligibility and Requirements section below.

⁵ Each charging port must be able to simultaneously maintain the stated level of kW output.

⁶ Designated areas eligible to receive this plus-up are subject to change.

Note: Operations and maintenance service contracts for Level 2 (high) chargers may be reimbursed on a case-by-case basis at the discretion of the Air District.

Plus-Up Requirements:

Additional plus-up funding for each qualifying charger installed that meets the following criteria:

- **Priority Population Areas, Justice40 Communities, or Rural Areas:** Chargers installed in Priority Population Areas, Justice40 Communities, or Rural Areas. Descriptions of these terms are provided in the Definitions section below.
- **Multi-Family Housing:** Chargers installed at Multi-Family Housing facilities.

Note: the total award (Base and Plus-Ups) may be reduced at the Air District's discretion.

Please be aware that while there are no fixed usage requirements based on the EV charging port type funded, applicants will be required to provide an estimate of the anticipated five-year charger usage based on the number of proposed charging ports, facility type(s), number of parking spaces, and other contributing factors. The estimated usage will be considered during the application review and scoring process. If awarded, this estimated usage will be included in the project Funding Agreement as the usage requirement. If the usage requirement is not met by the end of the project's Operational Period, the Grantee/Project Sponsor may be in breach of the Funding Agreement and subject to repayment.

4. GENERAL APPLICATION ELIGIBILITY AND REQUIREMENTS

- **Applicants must be in "good standing"** (i.e., compliant with all Air District, state, and federal air quality regulations) and applicants who were previously awarded an Air District grant must not have failed a fiscal audit in the past five years and must be in compliance with all contractual obligations of that grant. Applicants may not be currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency.
- **Eligible applicants include businesses, homeowner associations, non-profits, public agencies, and tribes⁷** who either own the property where the proposed chargers will be installed, or who have authority/permission from the property owner to install and operate chargers for the duration of the Project Term. Applicants are required to submit a *Charge!* Facility Form demonstrating permission from the property owner allowing the applicant to install and operate chargers for the duration of the Project Term. The *Charge!* Facility Form can be submitted after the application deadline; however, all completed forms must be received prior to Funding Agreement execution. Religious institutions are not eligible to apply and grant funds may not be used to install equipment on property belonging to or operated by religious institutions.
- **Projects must be voluntary and surplus** – Existing and new construction projects are eligible for funding as long as the projects are voluntary and lead to surplus emission reductions. New construction projects must also be completed within the standard *Charge!* Program timeline. Chargers that are required to be installed by a regulation (e.g., [CALGreen](#)), local ordinance, or other legal obligations (e.g., legal settlement, condition of lease agreement or use permit, EV-readiness ordinance) are **NOT** eligible. No equipment is to be ordered and no work is to begin on a project until a fully executed Funding Agreement between the Air District and the Grantee/Project Sponsor is in place. No costs or financial commitments that are incurred or undertaken prior to the date of full execution of the Funding Agreement will be considered for reimbursement from the Air District. Projects that commence (e.g., pre-order equipment, sign contracts, cost estimates, or service agreements, make any payments including deposits, begin construction) prior to receiving a fully executed Funding Agreement will be disqualified and cancelled. Approval from the Air District's Board of Directors does not guarantee funding. Only a fully executed Funding Agreement constitutes an obligation for the Air District to fund a project.
- **Publicly available charging projects must comply with federal requirements** including Buy America, the Charging and Fueling Infrastructure General Terms and Conditions, the National Electric Vehicle Infrastructure Standards and Requirements (23 CFR Part 680), the National Environmental Policy Act (NEPA), and Form FHWA-1273. NEPA approval for each facility is

⁷ As defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 5304).

required prior to execution of the Funding Agreement. Projects exclusively at Multi-Family Housing sites may be exempt from these requirements. See the Appendix below for more information on federal requirements.

- **Applicants must provide their Unique Entity Identifier to the Air District** in compliance with [Appendix A to Part 25, Title 2 of the Code of Federal Regulations \(CFR\)](#) prior to receiving a *Charge!* award. Applicants are not required to obtain an active System for Award Management (SAM) registration but must obtain a Unique Entity Identifier. Additional information about registration procedures may be found at the [SAM website](#).
- **Projects must qualify for at least the minimum *Charge!* Program funding:**
 - \$250,000 for all projects except government sponsored and projects exclusively at Multi-Family Housing sites.
 - \$10,000 for government sponsored projects and projects exclusively at Multi-Family Housing sites.
 - Grantees/Project Sponsors who modify the scope of their project post-award in any way that reduces their award to below the \$250,000 threshold may have their entire project and award cancelled. Grantees/Project Sponsors who modify the scope of their project post-award that reduces their award below \$10,000 will have their entire project and award cancelled.
- **Award limits:**
 - **Multi-Family Housing and case-by-case private Workplace projects funded with the Transportation Fund for Clean Air (TFCA) Program are subject to TFCA award limits** – Each public agency may be awarded up to a total award of \$5,500,000 per agency per fiscal year; and each non-public entity may be awarded up to a total award of \$5,000,000 per entity per fiscal year.
 - **Publicly available charging projects funded with the Charging and Fueling Infrastructure Discretionary Grant Program are not subject to *Charge!* Program award maximums.**
- **Available funding** – At least \$15,000,000 is available for publicly available chargers. The total program budget is \$20,000,000.
- **Charging port types and minimum counts** – projects must include the specified type and minimum number of charging ports. Level 1 and Level 2 (low) chargers may only be installed at Multi-Family Housing facilities.
 - **Publicly available chargers**
 - **Destination, Transit Parking, or Workplace:** each facility must have at least four network-connected (either DC Fast or Level 2 [high] or a combination of DC Fast and Level 2 [high]) charging ports and be capable of simultaneously charging at least four EVs.
 - **Multi-Family Housing:** may have any combination of Level 1, Level 2, or DC Fast charging ports that meets the minimum *Charge!* Program funding amount. Requirements may be applied based on the nature of the project, at the Air District’s discretion.
 - **Private chargers**
 - **Multi-Family Housing:** may have any combination of Level 1, Level 2, or DC Fast charging ports that meets the minimum *Charge!* Program funding amount.
 - **Workplace:** private charging may be allowed at Workplace facilities on a case-by-case basis. Charging port quantity and type requirements are the same as for Workplace facilities with publicly available chargers.

5. FACILITY TYPES

Applicants may apply for funding to install qualifying equipment at a facility located within the Air District’s jurisdiction. Religious institutions are not eligible to apply and grant funds may not be used to install equipment on property belonging to or operated by religious institutions. For this solicitation, a “facility” is any designated area or public parking lot/structure that has a distinct location (e.g., parcel number or physical address) where *Charge!* Program-funded chargers will be installed. Existing and new construction facilities are eligible for funding and may fall into one or more of the following categories:

- Destination
- Multi-Family Housing
- Transit Parking
- Workplace

Minimum charging port counts for each facility type are provided in the General Application Eligibility and Requirements section above. Descriptions of each facility type are provided in the Definitions section below.

6. CHARGER REQUIREMENTS

Chargers must be new and installed within the [Air District’s jurisdiction](#): this grant is not retroactive, therefore applicants are not eligible for award if any of the proposed equipment is ordered, purchased, or installed before the Funding Agreement has been fully executed. Grant funding is for new equipment and installations and cannot be used to repair or replace broken or out-of-service previously installed charging equipment.

Charger Uptime: Funded Level 2 and DC Fast charging ports must each have an average annual uptime of greater than 97% for the duration of the project’s Operational Period and comply with the [National Electric Vehicle Infrastructure \(NEVI\) Standards and Requirements](#) (23 CFR Part 680) for uptime. A charging port is considered “up” when its hardware and software are both online and available for use, or in use, and the charging port successfully dispenses electricity in accordance with requirements for minimum power level. More details are provided in part 1 of the Appendix below.

Public Availability: Funded chargers must be available to the general public and operate for a minimum of five years. Funded chargers must be available for use by the general public at least as frequently as the business operating hours of the facility host. Private chargers for Multi-Family Housing, or Workplaces on a case-by-case basis, may be exempt from public accessibility requirements.

Interoperability and Connectivity: Funded chargers must meet the [NEVI Standards and Requirements](#) for interoperability and charging network connectivity of EV charging infrastructure. Charging providers will be responsible for completing a self-attestation that their hardware supports these capabilities. The California Energy Commission recommends that charging providers work with third party labs to test for ISO 15118 conformance.⁸ Private, non-networked chargers may be exempt from network requirements on a case-by-case basis.

Safety Certification: Chargers must be certified by the Underwriters Laboratories, Inc. (UL) and an Occupational Safety and Health Administration Nationally Recognized Testing Laboratory.

Table 2: Charger requirements by charging port and facility type

Charging Port Type	Level 1	Level 2 (low)	Level 2 (high)	DC Fast (output 250 – 920 volts DC)	
Connector Requirement	NEMA 5-15, 5-20 or J1772	J1772 ⁹	J1772 ⁹	SAE CCS Type 1 ⁹	
Output Rating Requirement Per Charging Port ¹⁰	1.4 – 2.4 kW	3.3 – 5.99 kW	6+ kW	50-149.99 kW	150+ kW
Energy Star Certification Requirement	No	Yes	Yes	No	
Facility Type	Multi-Family Housing only	Multi-Family Housing only	Any	Any	
Minimum Charging Port Count per Facility	See minimum charging port counts in the General Application Eligibility and Requirements section.				

⁸ California Energy Commission, ISO 15118 Implementation Updates Workshop, May 2024

⁹ Permanently attached non-proprietary connectors (such as North American Charging Standard [NACS]) may optionally be provided on each Level 2 or DC Fast charging port so long as each charging port:

- Level 2: has a permanently attached J1772 connector and is capable of charging any J1772-compliant vehicle
- DC Fast: has at least one permanently attached CCS Type 1 connector and is capable of charging any CCS-compliant vehicle

¹⁰ Each charging port must be able to simultaneously maintain the stated level of kW output.

Buy America: Funded publicly available Level 2 (high) or DC Fast chargers must comply with Buy America (projects exclusively at Multi-Family Housing sites may be exempt). More information is in part 2 of the Appendix below.

Stationary & Grid Connected: Chargers should be installed at a stationary location and connected to the electric grid. Each charging port must have at least one connector of the required type permanently attached. Mobile chargers will be considered on a case-by-case basis if the chargers remain stationary at an approved location throughout the five-year Project Operational Period.

Payment Requirements: Applicants are responsible for complying with [Senate Bill 454](#) Electric Vehicle Charging Stations Open Access Act (Corbett, Chapter 418, Statutes of 2013)¹¹, [Senate Bill 123](#) (Committee on Budget and Fiscal Review, Chapter 52, Statutes of 2023)¹², and the [NEVI Standards and Requirements](#) for payment method and pricing. See 23 CFR 680.106(f) and 23 CFR 680.116(a).

Accessibility: Facilities and chargers must comply with the American with Disabilities Act of 1990 (ADA) and applicable accessibility standards adopted by the Department of Transportation into its ADA regulations ([49 CFR part 37](#)) in 2006, and adopted by the Department of Justice into its ADA regulations ([28 CFR part 35](#) and [28 CFR part 36](#)) in 2010.

7. GRANTEE/PROJECT SPONSOR OBLIGATIONS

The Air District will bring selected project(s) to the Air District's Board of Directors for consideration and will then enter into Funding Agreements for the selected project(s). Funding Agreements will include requirements for: project schedule, deadlines, funding award amount, project scope, performance requirements/penalties, monitoring and reporting, payment procedures, recordkeeping, termination, repayment, etc. A [sample Funding Agreement](#) is available on the *Charge!* Program website. The following are some of the requirements Grantees/Project Sponsors must agree to:

- Obtain and maintain liability and any other necessary insurance for the duration of the Project Term;
- Sign (execute) the Funding Agreement and return to the Air District within 60 days of receiving it;
- Own, purchase, install, and place into service all approved equipment within 12 months from the date the Funding Agreement is executed (this period may be increased to 18 months upon request, at the discretion of the Air District);
- Ensure that publicly available projects comply with federal requirements including Buy America, the Charging and Fueling Infrastructure General Terms and Conditions, the National Electric Vehicle Infrastructure (NEVI) Standards and Requirements (23 CFR Part 680), Form FHWA-1273, and meet the National Environmental Policy Act requirements and provide necessary documentation. Projects exclusively at Multi-Family Housing sites may be exempt from these requirements. See the Appendix below for more information;
- Ensure that any work performed with *Charge!* Program funding is done by a contractor licensed in the State of California. To check whether a contractor has a valid license, visit the Contractors [State License Board website](#). The Air District does not require, endorse or recommend specific contractor(s) to be used for a project;
- Ensure that any work performed with *Charge!* Program funding is done by a qualified technician;
 - EVITP certification: Use Electric Vehicle Infrastructure Training Program (EVITP) certified electricians for the installation of the EV chargers in accordance with [Public Utilities Code 740.20](#):
 - All EV charging infrastructure and equipment shall be installed by a contractor with the appropriate license classification, as determined by the Contractors' State License Board, and at least one electrician on each crew, at any given time, who holds an EVITP certification.
 - Projects that install a charging port supplying 25 kW or more to a vehicle have at least 25% of the total electricians working on the crew for the project, at any given time, who hold EVITP certifications.

¹¹ [California Legislative Information, Senate Bill No. 454, 2013-2014](#)

¹² [California Legislative Information, Senate Bill No. 123, 2023-2024](#)

- Publicly available projects must also comply with [NEVI Standards and Requirements](#) for qualified technicians, see 23 CFR 680.106(j); projects exclusively at Multi-Family Housing sites may be exempt.
- Be bound by all the provisions of State Labor Code Section 1771 and 23 U.S.C. 113 regarding prevailing wages paid to workers employed on public works and to provide confirmation of compliance if requested. Minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work;
- Pay 100% of up-front costs (prior to reimbursement), all costs in excess of the grant amount, and provide at least 20% of eligible project costs in matching funds after all applicable manufacturer and local/state/federal rebates and discounts are applied;
- Identify and implement a mechanism to accurately track charger usage in kilowatt-hours (kWh). Acceptable methods include:
 - Installation of a new independent energy meter only serving the new chargers,
 - Energy management software (annual subscription fees are not eligible costs and will not be reimbursed);
- Ensure that all locations where chargers are installed are well-lit, secure, and in compliance with all local, state, and federal regulations and/or requirements;
- Operate and maintain each funded charger for a minimum period of five years and ensure that the project achieves the Charge! Program's Facility, Charger, and Usage Requirements. If a Project Sponsor does not fulfill the usage or operational requirements at the end of the five-year Operational Period, the Grantee/Project Sponsor may request an amendment to the Funding Agreement to extend the Operational Period that is subject to Air District approval, or the Air District will proportionally reduce the amount of Funds Awarded;
- Security Interest: Grantees/Project Sponsors grant the Air District a security interest in the Project Equipment that has been purchased partially or entirely with funding provided by the Air District pursuant to the Funding Agreement and any amendments thereto. The Grantee/Project Sponsor acknowledges and agrees that the Air District shall have all lien rights as a secured creditor on the Project Equipment throughout the term of the Funding Agreement. The Grantee/Project Sponsor agrees and authorizes the Air District to file a Uniform Commercial Code (UCC) financing statement (Form UCC-1) or similar security instrument to secure its interests in the Project Equipment;
- Submit reports on each charger's status and usage to the Air District:
 - Semi-annual reports during the Implementation Period (i.e., installation of funded chargers),
 - Expenditure report after all chargers are placed into service, and
 - Quarterly and Annual reports while the chargers are in operation, for the duration of the Project Life. Submitted reports may require data such as:
 - EV charger usage/charging session data;
 - Calculated EV charger uptime, outages, and related calculations with supporting data;
 - Maintenance logs and records documenting EV charger downtime;
 - Maintenance and repair cost per charging station;
 - Station Operator information; and
 - Distributed Energy Resource information.
 - Projects may be required to submit data in compliance with the [NEVI Standards and Requirements](#) in 23 CFR 680.112(a)-(c) and 23 CFR 680.116(c).
- Projects may be required to submit data to the Electric Vehicle Charging Analytics and Reporting Tool (EV-ChART);
- List the funded chargers on the [U.S. Department of Energy Alternative Fueling Station Locator website](#);
- Acknowledge the Air District as a funding source in a visible location at the facility and in communications promoting the facility; and
- 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.

8. ELIGIBLE PROJECT COSTS

Charge! Program funds can only be used to reimburse the costs of the items listed below that are incurred after Funding Agreement execution:

- Charger hardware, including tax and shipping fees (must comply with Buy America requirements);
- Installation, including labor, materials (e.g., trenching, wiring, signage, and conduit), and necessary electrical upgrades to meet the demands of the charger (i.e., electrical panels, and transformers);
 - Materials must comply with Buy America requirements.
 - If an equipment vendor would like to request the use of in-house labor for installing chargers, the vendor must submit a formal request to the Air District and receive approval.
 - If an equipment vendor receives approval from the Air District to use in-house labor for approved *Charge!* Program projects, the equipment vendor must submit the following when requesting reimbursement:
 - A budget summary for the in-house labor costs, including: staff names, job function, hourly rate, total hours worked, dates worked, and details regarding the work completed.
 - Corresponding copies of paystubs for in-house labor employees.
 - Additional information, as requested by the Air District.
- Permit & site design fees; and
- Hardware equipment separate from the charger used to record the kWh dispensed from the equipment to EVs (e.g., separate meter, data logger).
- Service contracts may be reimbursed on a case-by-case basis at the discretion of the Air District.

Charge! Program funds for projects with **publicly available chargers** may additionally be used on a case-by-case basis to reimburse the costs of the items listed below that are incurred after Funding Agreement execution:

- Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities;
- Service contracts may be reimbursed on a case-by-case basis at the discretion of the Air District.

9. INELIGIBLE COSTS

Charge! Program funds may not be used to reimburse for the following costs:

- Consultant fees;¹³
- Environmental review;¹³
- Maintenance, repairs and operations, such as cost of electricity (utility) and network fees (e.g., subscription fees, cloud-based services, customer support, and other software fees related to the management and operation of the chargers);¹³
- Administrative costs: accounting for Program funds, fulfilling contractual obligations, audits, reporting and record-keeping requirements specified in the Funding Agreement; and
- Costs to improve parking area that are not directly related to the project.

V. PROGRAM PROCESS AND SCHEDULE

Each *Charge!* Program project consists of five periods. The activities and milestones for each of the periods are described below.

¹³ Some costs may be eligible on a case-by-case basis at the discretion of the Air District, see Eligible Project Costs section above.



1. SOLICITATION & PROJECT MILESTONES

Table 3 describes the major milestones and the Project Sponsor journey. Rows highlighted in gray indicate reporting requirements. See Table 5 for the reimbursement schedule.

Table 3: Solicitation & Project Milestones

DATE	ACTIVITY
Quarter 1, 2025 (tentative)	Program solicitation released
Quarter 2, 2025 (tentative)	Application deadline (solicitation closes)
EVALUATION PERIOD	
Timeline to be determined All projects will be ranked, and selected projects awarded	<ul style="list-style-type: none"> Air District notifies applicant about its determination (Notice of Proposed Award) and a proposed Funding Agreement is sent for the Grantee/Project Sponsor’s signature Applicants that are not selected for award are notified and provided an explanation of why their project was not selected or found to be ineligible
IMPLEMENTATION PERIOD	
Within 12 months of the Funding Agreement being executed (or 18 months upon request, at the discretion of the Air District)	<ul style="list-style-type: none"> Grantee/Project Sponsor must demonstrate that the project has commenced (e.g., issuance of a purchase order, obtaining a permit) All chargers must be installed and operating Air District may conduct inspections of installed equipment
Every April 15 and October 15 during the Implementation Period	Grantee/Project Sponsor submits semi-annual reports to the Air District
OPERATIONAL PERIOD	
Operational Period (minimum five years after all chargers have been installed and are operational)	<ul style="list-style-type: none"> Grantee/Project Sponsor must maintain and operate the chargers Air District may conduct inspections and/or fiscal audits
Quarterly	Grantee/Project Sponsor submits quarterly reports to the Air District
Every January 7 during the Operational Period	Grantee/Project Sponsor submits annual reports to the Air District
RECORDS RETENTION	
For three years beginning upon completion of the Operational Period	Grantee/Project Sponsor must maintain all records, documents, and reports in a centralized location

2. APPLICATION PERIOD

During this period, the applicant prepares the necessary documents listed below, provides all requested information, signs, and submits an application through [Fluxx](#), the Charge! Program’s online grants portal. Templates and samples of these documents are available on the [Charge! Program website](#).

- Applicant W-9, signed;
- Charge! Facility Form, serving as proof of property ownership/permission to install and operate;
- Charger specification sheets and proof of certification;
- Estimated project usage in kWh for the five-year Operational Period. Applicants can estimate this by:
 - Reaching out to an EV charging vendor; or
 - Using their own estimation methodology based on site-specific factors such as existing parking spaces, existing EV charger usage, and existing/projected EV ownership population of project site(s).
- Evidence of Authority to Apply and Implement the Project:

- A signed Letter of Commitment from the applicant’s representative with authority (e.g., Chief Executive or Financial Officer, Executive Director, or City Manager); or
- A signed resolution from the governing body (e.g., City Council, Board of Supervisors, or Board of Directors).
- Line-item cost quote for equipment and labor for each facility. Labor quotes must be from a licensed contractor. This quote will be used during the evaluation period. Project Sponsors may select a different EV charging vendor after a funding award is made, as long as there is no change to the Project Scope.
 - Equipment and materials must be Buy America compliant. See EPRI’s [Vetted Product List](#), which can be filtered by Buy America compliance, and Buy America Requirements in part 2 of the Appendix below.
- If the cost estimate is completed by the applicant’s organization, the estimate must be completed and endorsed by a California Licensed Engineer.
- Map(s) showing where the chargers will be located. The map(s) must be labeled and show proximity to an activity center, major roadways, and the nearest chargers.

3. EVALUATION PERIOD

Project applications will be reviewed, scored and competitively ranked for recommendation. Applications will be accepted through [Fluxx](#). If oversubscribed, the Air District may hold applications as backup for additional program funds that may become available. Incomplete applications, applications from ineligible applicants, and applications outside the scope of the solicitation may not be scored and may be disqualified. The scoring criteria described in Table 4 shows the total points that may be awarded to each application – proposals that do not meet all criteria are still encouraged to apply but may be scored lower.

Table 4: Application Evaluation Criteria and Scoring

EVALUATION CRITERIA	POSSIBLE POINTS
Project Details & Implementation Plan Project scope/details, partners/community support, location/facility type, accessibility	10
Project Benefits Number of units to be implemented, number of units per county and facility type, estimated emissions reductions, anticipated charger utilization, charger hours of operation, and community support, alternative power source (e.g., solar, wind), and technology type	30
Priorities Project locations: Priority Population Areas , Justice40 Communities , multi-family housing, affordable housing, rural areas	25
Readiness Resources available, readiness for commencement/implementation, and project timeline	15
Qualifications Applicant experience/history, partners’ roles and experience, Disadvantaged Business Enterprises, Minority Business Enterprises, Women’s Business Enterprises, Veteran-owned businesses, and small businesses	5
Budget Itemized equipment and infrastructure cost, co-funding/match, and total funds requested	5
Application Completeness Required documents and facility and charger information	10
Total Points Possible	100

After the applications are scored and ranked, the Air District will allocate funding to support the highest scoring projects until funding is depleted. Successful applications will be brought to the Air District’s Board of Directors for consideration and approval. Upon Board of Directors approval, Air District staff will forward a Notice of Proposed Award and Funding Agreement to Grantee/Project Sponsors for execution. Once the Funding Agreement is fully executed (i.e., signed by both the Grantee/Project Sponsor and the Air District), the project moves to the Implementation Period.

IMPORTANT: Projects that commence (e.g., pre-order equipment, sign contracts, cost estimates, or service agreements, make any payments including deposits, begin construction) prior to receiving a fully executed Funding Agreement will be disqualified and cancelled.

4. IMPLEMENTATION, OPERATION & REIMBURSEMENT

During the Implementation Period, the Grantee/Project Sponsor has a maximum of 12 months to purchase and install the selected chargers (this period may be increased to 18 months upon request, at the discretion of the Air District). The Grantee/Project Sponsor is required to comply with the EVITP requirements, and federal requirements as applicable including Buy America, Charging and Fueling Infrastructure Terms and Conditions, National Electric Vehicle Infrastructure (NEVI) Standards and Requirements, the National Environmental Policy Act, and Form FHWA-1273 (see Appendix A for details), and report to the Air District the status of the project every six months until the end of the Implementation Period. The Implementation Period ends on the date that all chargers are installed and open for use by the general public and/or community. The Air District will release reimbursement of grant funds to the Grantee/Project Sponsor on a reimbursement schedule as described in Table 5 below.

Table 5: Reimbursement Schedule

PROJECT STAGE		PAYMENT ACTIVITY
Implementation Period	Funded chargers are purchased, installed, and placed into operation.	Grantee/Project Sponsor pays 100% of project costs.
Initial Reimbursement Request	Grantee/Project Sponsor submits Expenditure Report to the Air District within 60 days after last charger was placed into operation.	Air District reviews Expenditure Report. Once approved, up to 85% of the grant award will be issued to the Grantee/Project Sponsor. ¹⁴
Operational Period	Project operates for a minimum of five years, until completion of contracted usage requirements, and submits usage records and quarterly/annual reports.	None.
Final Reimbursement Request	Grantee/Project Sponsor submits Final Reimbursement Request following the end of the Operational Period, completion of contracted usage requirement, and submission of all required reports.	Air District reviews Final Reimbursement Request. Once approved, the remainder (up to 15%) of the grant award will be issued to the Grantee/Project Sponsor.

¹⁴ The Air District may allow limited partial reimbursements at its discretion for completed sites. The Air District may also consider larger Initial Reimbursement Requests (>85%) on a case-by-case basis.

Once all funded equipment has been installed and is available for general public and/or community use, the following supporting documents are required to be submitted as part of the reimbursement request:

- Project invoices: complete, detailed invoices for all costs associated with the project (charger hardware, electrical work, labor, materials, etc.), including expenses for which reimbursement is requested from the *Charge!* Program and expenses paid by cost sharing/matching funds;
- Proof of payment for all invoices (copies of cancelled checks or bank statements) that match the amounts on the invoices exactly;
- Proof of EVITP certification;
- Completed *Charge!* Program EVITP Form (available on the *Charge!* Program website);
- Details of any additional grants/incentives received (or applied for) for the project;
- Photos of equipment with Air District logo;
- Documentation that publicly accessible equipment information and location have been uploaded to the [U.S. Department of Energy's Alternative Fueling Station Locator website](#); and
- For publicly available chargers (projects exclusively at Multi-Family Housing site may be exempt):
 - Buy America documentation (see part 2 of the Appendix below for details);
 - Self-attestation that hardware supports the NEVI Standards and Requirements for interoperability and charging network connectivity of EV charging infrastructure;
 - Documentation of labor hours may be required.

5. OPERATIONAL PERIOD

During this period, the Grantee/Project Sponsor will operate and maintain the chargers for a minimum of five years and until the usage requirement is met. Until both the five-year Operational Period and usage requirements are met, the Grantee/Project Sponsor is required to:

- Report on the status, usage, uptime, maintenance, and other required information quarterly and annually to the Air District;
- Provide usage and uptime reports of the project to the Air District upon request;
- Maintain the required insurance; and
- Cooperate with the Air District and its designees on fiscal audits and inspections of the project.

Grantees/Project Sponsors may charge reasonable usage fees to help defray their on-going costs associated with use of electricity, and operations & maintenance. Grantees/Project Sponsors may hire third-party vendors for charger maintenance; however, please keep in mind that these are not typically eligible project costs (operations and maintenance service contracts for Level 2 (high) chargers may be reimbursed on a case-by-case basis at the discretion of the Air District). Charger operation & maintenance may include but is not limited to availability of customer service channels, procedures for station upkeep, staff training, and station repair and inspection schedule. Grantees/Project Sponsors are responsible for ensuring that the funded charging ports are fully operable for at least 97% of a charging site's standard hours of operation for the duration of the Operational Period.

6. RECORDS RETENTION

The Project Term extends for three additional years after the end of the Operational Period. The Grantee/Project Sponsor is required to maintain all Project records, such as fiscal records and charger usage and uptime records, in a centralized location for three additional years after the end of the Operational Period. The Grantee/Project Sponsor is encouraged to continue maintaining and operating the funded chargers after the end of the project term, although it is no longer a contractual requirement to do so.

VI. FUNDING SOURCES

In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within its jurisdiction to fund projects that reduce on-road motor vehicle emissions. These funds support the Transportation Fund for Clean Air (TFCA) Program, which provides funding to qualifying trip reduction and alternative fuel vehicle projects.

In 2021, the Infrastructure Investment and Jobs Act made funds available to the United States Department of Transportation (“USDOT”) for fiscal year (FY) 2022 and FY 2023 for the Charging and Fueling Infrastructure (CFI) Discretionary Grant Program to strategically deploy publicly accessible electric vehicle charging infrastructure and other alternative fueling infrastructure.

The Air District may use other funding sources to support this program if available and project details and demand align with the requirements for the other funding sources.

VII. WEBINAR

The Air District will conduct one webinar for the solicitation. The webinar will provide an overview of this solicitation and cover *Charge!* Program Requirements, the application process and evaluation criteria, and Grantee/Project Sponsor’s administrative requirements. A recording of the webinar will be made available on the [Charge! Program website](#).

When: Quarter 1, 2025 (tentative), date to be determined

Topic: FYE 2025 Charge! Program Webinar

VIII. QUESTIONS

Once the application period starts (tentatively in Quarter 1, 2025), prospective applicants can request meetings with Air District staff to discuss proposed projects. Staff may not be able to accommodate all requests, but will prioritize all meeting requests from community groups and applicants working on multi-family housing projects. Written questions will be accepted by email until about three weeks before the program closes (final date to be determined), and should be sent to charge@baaqmd.gov (subject "RE: Charge! Program Application"). Responses to questions will be posted to the [Charge! Program website](#) periodically. Questions will also be answered during the scheduled webinar.

IX. INSURANCE GUIDELINES

Grantees/Project Sponsors who are selected for award must obtain and maintain the required insurance coverage for the duration of their Project’s Term. The typical Funding Agreement requires that each Grantee/Project Sponsor provides documentation showing that the Grantee/Project Sponsor meets the following requirements for each of its projects:

- Liability Insurance with a limit of not less than \$1,000,000 per occurrence. Such insurance shall be of the type usual and customary to the business of the Grantee/Project Sponsor, and to the operation of any portion of the Project; and
- Property Insurance in an amount of not less than the insurable value of Project Equipment funded under the Funding Agreement, and covering all risks of loss, damage or destruction of such equipment.
- Workers Compensation Insurance as required by California law and employers’ liability insurance with a limit not less than \$1,000,000.

Acceptability of Insurers: Insurance is to be placed with insurers with a current A.M. Best’s rating of not less than A:VII.

The Air District reserves the right to specify different types or levels of insurance in the Funding Agreement. The Air District may, at its sole discretion, waive or alter this requirement or accept self-insurance in lieu of any required policy of insurance.

X. AIR DISTRICT GRANT & INCENTIVE PROGRAMS

In addition to the *Charge!* Program, the Air District offers grant funding to incentivize emissions reductions to improve air quality in the region. Funds are available for the following project categories:

On and Off-Road Heavy-Duty Diesel Vehicles
Locomotives
Marine Vessels

Lower-Emission School Buses
Light-Duty Vehicles
Alternative Fuel Vehicles and Infrastructure

The Air District also offers grant funding for heavy-duty vehicles through the Carl Moyer Program.

For more information on other Air District Grants and Incentives, contact us at:

[Air District Grants Programs](#)

Email: grants@baaqmd.gov

Grants Information Request Line: (415) 749-4994

XI. OTHER FUNDING OPPORTUNITIES FOR LIGHT-DUTY ELECTRIC VEHICLE INFRASTRUCTURE

In addition to the *Charge!* Program, other opportunities for charger funding may be available from other organizations. Applicants are encouraged to explore all opportunities and select the one(s) that works best for them. *Charge!* Program funding may be combined with funding from other grant programs. If projects are co-funded with multiple funding sources, it is the responsibility of the applicant to ensure all requirements and deliverables are met.

- **[California Electric Vehicle Infrastructure Project \(CALeVIP\)](#):** CALeVIP provides incentives for EV charger installations and works with local partners to develop and implement projects that meet current and future regional EV needs for DC Fast charging.
- **[Community Choice Aggregation \(CCA\)](#):** CCAs may offer rate payers incentives for both electric vehicles and chargers. Please contact your local CCA.
- **[Inflation Reduction Act \(IRA\) of 2022](#):** Newly installed EV chargers can claim a tax credit of up to 30% of the cost of the installation and equipment or \$100,000, whichever is less.
- **[Low Carbon Fuel Standard \(LCFS\)](#):** Project Sponsors may qualify for LCFS credits to help offset the cost of operating the chargers.
- **[Tesla Destination Charging](#):** For Project Sponsors interested in hosting Tesla chargers.

XII. DEFINITIONS

Affordable Housing: units at a multi-family housing site that have a rent or mortgage payment that is no more than 30% of the monthly household income for a “Low Income” Household per the California Department of Housing and Community Development’s [2024 State Income Limits](#).

Charger: A device with one or more charging ports and connectors for charging EVs. Also known as electric vehicle supply equipment (EVSE). Consists of the conductors, including the ungrounded, grounded, and equipment grounding conductors and the EV 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 EV. Chargers funded by the *Charge!* Program can fall into one of three categories:

- **Direct Current (DC) Fast Charger:** Uses an external charger, and supplies electricity in the form of direct current at a rate of 50 kW or higher. Funded DC Fast charging ports must support output voltages between 250 volts DC and 920 volts DC.
- **Level 1 Charger:** Supplies electricity to an EV’s onboard charger in the form of alternating current. Level 1 chargers use a 120V AC connection and have an output of 1.4 to 2.4 kW per charging port.

- **Level 2 Charger:** Supplies electricity to an EV's onboard charger in the form of alternating current and requires a 208/240V AC connection. Level 2 (low) chargers have an output less than 6 kW per charging port. Level 2 (high) chargers have an output of 6 kW or greater per charging port.

Charging Port: The system within a charger that charges one EV. A charging port may have multiple connectors, but it can provide power to charge only one EV through one connector at a time.

Connector: The device that attaches an EV to a charging port in order to transfer electricity. Multiple connectors may be available on one charging port, but a charging port can provide power to charge only one EV through one connector at a time. Connectors are sometimes called plugs.

Disadvantaged Communities (DACs)/Justice40 Communities: Communities disproportionately burdened by multiple sources of pollution as identified in the California Communities Environmental Health Screening Tool CalEnviroScreen Version 4.0 developed by the California Environmental Protection Agency's Office of Environmental Health Hazard Assessment, or overburdened and underserved communities as identified in the Climate and Economic Justice Screening Tool developed by the Council on Environmental Quality. Census tracts in the top 25% of CalEnviroScreen 4.0 scores or identified as disadvantaged by the Climate and Economic Justice Screening Tool (Justice40 Communities) are prioritized for this program.

- [CalEnviroScreen 4.0](#)
- [California Priority Populations Map](#)
- [Climate and Economic Justice Screening Tool](#)

Electric Vehicle (EV): A motor vehicle that is either partially or fully powered on electric power received from an external power source. For the purposes of this guidance, this definition does not include golf carts, electric bicycles, or other micromobility devices.

Electric Vehicle Infrastructure Training Program (EVITP): Training and certification program for electricians installing EVSE.

Executed Funding Agreement: Contract that has been signed by both the Grantee/Project Sponsor and the Air District and contains all terms and conditions for the approved project. Funding Agreements are typically sent to the Grantee/Project Sponsor for execution within 60 days following the Notice of a Proposed Award. No equipment is to be ordered and no work is to begin on a project until a fully executed Funding Agreement between the Air District and the Grantee/Project Sponsor is in place. No costs or financial commitments that are incurred or undertaken prior to the date of full execution of the Funding Agreement will be considered for reimbursement from the Air District. **Projects that commence (e.g., pre-order equipment, sign contracts, cost estimates, or service agreements, make any payments including deposits, begin construction) prior to receiving the executed Funding Agreement will be disqualified from receiving grant funding and cancelled.**

Open Charge Point Interface (OCPI): An open-source communication protocol that governs the communication among multiple charging networks, other communication networks, and software applications to provide information and services for EV drivers.

Open Charge Point Protocol (OCPP): An open-source communication protocol developed by the Open Charge Alliance that governs the communication between chargers and the charging networks that remotely manage the chargers.

Project Sponsor or Grantee: The entity responsible for meeting all obligations of the executed Funding Agreement.

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

Qualifying facility: Charge! Program-funded equipment may only be installed at the following facility types:

- **Destination Facility:** Activity center, such as a library, park, or shopping center. Proposed charger(s) will be located at or within close proximity to the activity center and are accessible to customers and visitors. Must have at least four network-

connected (either DC Fast or Level 2 [high] or a combination of DC Fast and Level 2 [high]) charging ports and be capable of simultaneously charging at least four EVs.

- **Multi-family Housing Facility:** A dwelling consisting of four or more units. Single-family (household) residences and multi-family housing with less than four residential units are NOT eligible. Projects that are public and at affordable housing sites or below market rate housing sites will be prioritized.
 - Chargers must be located at a multi-family housing; however, chargers located within close proximity to a multi-family housing building that serve its residents will be considered on a case-by-case basis at the Air District's discretion.
 - Curbside charging to support multi-family housing locations is eligible, but may be subject to approval by the local jurisdiction.
 - Chargers installed at multi-family housing may be public or private; however, private chargers must be accessible to more than one resident of the facility, and all residents must have access to charging.
 - Assigned parking and deeded parking spaces are only eligible at Level 1 chargers or Level 2 chargers at affordable housing sites, or in Priority Population Areas or Justice40 Communities, on a case-by-case basis.
 - Ubiquitous assigned chargers at multi-family housing sites may also be considered for funding on a case-by-case basis. "Ubiquitous assigned" means that all assigned parking spaces at the multi-family housing site have a charger, and all residents have access to charging.
 - Assigned and deeded parking at all other facility types are ineligible.
- **Transit Parking Facility:** Parking facility available at a transit station, airport long-term parking, or a park-and-ride location. Proposed charger(s) will provide access to users of these forms of transit. Must have at least four network-connected (either DC Fast or Level 2 [high] or a combination of DC Fast and Level 2 [high]) charging ports and be capable of simultaneously charging at least four EVs.
- **Workplace Facility:** Proposed charger(s) will provide access to charging for fleets, employees, and visitors and is located at, or within close proximity, to an employment center. Workplace facilities must have at least four network-connected (either DC Fast or Level 2 [high] or a combination of DC Fast and Level 2 [high]) charging ports and be capable of simultaneously charging at least four EVs. At the Air District's discretion, private charging for Workplace facilities may be allowed on a case-by-case basis.

Religious institutions are not eligible to apply and grant funds may not be used to install equipment on property belonging to or operated by religious institutions.

Rural Areas: Urbanized Areas with populations of less than 50,000 according to the 2020 Census will be considered rural.

Uniform Commercial Code (UCC): California UCC Financial Statement is used to secure the interests in the project that has been purchased partially or entirely with funding provided by the Air District.

Usage Requirement: The anticipated five-year charger usage provided by the Grantee/Project Sponsor in their application based on the number of proposed charging ports, facility type(s), number of parking spaces, and other contributing factors. Usage is evaluated in aggregate on a project basis by summing the kWh delivered by each funded charger during the entire Operational Period. The Usage Requirement will be listed in the Funding Agreement. Projects that do not meet their stated usage may be in breach of the Funding Agreement and subject to repayment.

XIII. APPENDIX

Funded chargers must comply with the National Electric Vehicle Infrastructure (NEVI) Standards and Requirements for uptime described below, as well as the NEVI Standards and Requirements for interoperability, connectivity, and payment, as noted in the Charger Requirements section.

Funded projects with publicly available chargers must comply with all the federal requirements below (projects exclusively at Multi-Family Housing sites may be exempt from some requirements).

It is the Grantee/Project Sponsor's responsibility to maintain full compliance with all applicable project requirements.

1. CHARGER UPTIME

Funded Level 2 and DC Fast charging ports must each have an average annual uptime of greater than 97% for the duration of the project’s Operational Period and comply with the [National Electric Vehicle Infrastructure Standards and Requirements](#) for uptime. A charging port is considered “up” when its hardware and software are both online and available for use, or in use, and the charging port successfully dispenses electricity in accordance with requirements for minimum power level.

Charging port uptime must be calculated monthly for the previous twelve months. Charging port uptime percentage must be calculated using the following equation:

$$\mu = \left(\frac{525,600 - (T_{\text{outage}} - T_{\text{excluded}})}{525,600} \right) \times 100$$

where:

μ = port uptime percentage,

T_{outage} = total minutes of outage in previous year, and

T_{excluded} = total minutes of outage in previous year caused by the following reasons outside the facility operator's control, provided that the facility operator can demonstrate that the charging port would otherwise be operational: electric utility service interruptions, failure to charge or meet the EV charging customer's expectation for power delivery due to the fault of the vehicle, scheduled maintenance, vandalism, or natural disasters. Also excluded are hours outside of the identified hours of operation of the facility.

It will be the Grantee/Project Sponsor’s responsibility to record the T_{outage} and T_{excluded} events and their duration, and to demonstrate this uptime requirement is met.

Charging port uptime, T_{outage} , and T_{excluded} for each of the previous three months must be reported to the Air District quarterly.

If the Grantee/Project Sponsor cannot meet this uptime requirement, the project may be in breach of the Funding Agreement and subject to repayment. Keep in mind that different incentive programs may have different charger uptime definitions and/or formulas. If a Grantee/Project Sponsor is stacking funding sources, it is the Grantee/Project Sponsor’s responsibility to demonstrate compliance with charger uptime requirements for all funding sources.

2. BUY AMERICA REQUIREMENTS AND DOMESTIC PREFERENCES FOR PROCUREMENTS

Funded projects with publicly available Level 2 (high) or DC Fast chargers must comply with Buy America and, under [2 CFR 200.322](#), as appropriate and to the extent consistent with law, should, to the greatest extent practicable under the Funding Agreement, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. Projects exclusively at Multi-Family Housing sites may be exempt.

Buy America requirements apply to steel and iron, manufactured products, and construction materials permanently incorporated into the project. These requirements are subject to change.

Steel and Iron Materials

All steel and iron materials must be melted and manufactured in the United States except:

1. Foreign pig iron and processed, pelletized, and reduced iron ore may be used in the domestic production of the steel and iron materials [60 Fed Reg 15478 (03/24/1995)].
2. If the total combined cost of the materials produced outside the United States does not exceed the greater of 0.1 percent of the total contract amount or \$2,500, materials produced outside the United States may be used if authorized.

Furnish steel and iron materials to be incorporated into the work with certificates of compliance and certified mill test reports. Mill test reports must indicate where the steel and iron were melted and manufactured. All melting and manufacturing processes for these materials, including an application of a coating, must occur in the United States. Coating includes all processes that protect or enhance the value of the material to which the coating is applied.

Manufactured Products

Iron and steel used in precast concrete manufactured products must meet the requirements of the above section (Steel and Iron Materials) regardless of the amount used. Iron and steel used in other manufactured products must meet the requirements of the above section (Steel and Iron Materials) if the weight of steel and iron components constitute 90 percent or more of the total weight of the manufactured product.

Chargers must comply with the [Waiver of Buy America Requirements for Electric Vehicle Chargers](#).

Construction Materials

Buy America requirements apply to the following construction materials that are or consist primarily of:

1. Non-ferrous metals
2. Plastic and polymer-based products such as:
 - 2.1 Polyvinylchloride
 - 2.2 Composite Building Materials
3. Glass
4. Fiber optic cable (including drop cable)
5. Optical fiber
6. Lumber
7. Engineered wood
8. Drywall

All manufacturing processes for these materials as defined in 2 CFR 184.6 must occur in the United States.

Where one or more of these construction materials have been combined by a manufacturer with other materials through a manufacturing process, Buy America requirements do not apply unless otherwise specified.

Furnish construction materials to be incorporated into the work with certificates of compliance with each project delivery. Manufacturer's certificate of compliance must identify where the construction material was manufactured and attest specifically to Buy America compliance.

All manufacturing processes for these materials must occur in the United States.

Buy America requirements do not apply to the following:

1. Tools and construction equipment used in performing the work
2. Temporary work that is not incorporated into the finished project

3. CHARGING AND FUELING INFRASTRUCTURE GENERAL TERMS AND CONDITIONS

Funded projects with publicly available chargers must comply with the [“General Terms and Conditions Under the Fiscal Year 2022 and Fiscal Year 2023 Charging and Fueling Infrastructure \(CFI\) Grant Program”](#) dated March 1, 2024. Projects exclusively at Multi-Family Housing sites may be exempt.

4. NATIONAL ELECTRIC VEHICLE INFRASTRUCTURE STANDARDS AND REQUIREMENTS

Funded projects must comply with applicable sections of the [National Electric Vehicle Infrastructure Standards and Requirements](#) (23 CFR Part 680), which has certain requirements for EV charging infrastructure, including installation, operation, and maintenance requirements, interoperability and connectivity standards, minimum uptime requirements, data submission requirements, as well as certain data fields that must be made available, free of charge, to third-party software developers, via application programming interface. This regulation also has certain requirements for the workforce installing, maintaining, and operating EV chargers has appropriate licenses, certifications, and training to ensure that the installation and maintenance of EV chargers is performed safely by a qualified and increasingly diverse workforce of licensed technicians and other laborers.

Projects exclusively at Multi-Family Housing sites or case-by-case private Workplaces may be exempt from some requirements.

5. NATIONAL ENVIRONMENTAL POLICY ACT

Funded projects with publicly available chargers must comply with the [National Environmental Policy Act](#) (NEPA). Grantees must work with the Air District to meet NEPA requirements and provide necessary documentation (e.g., Preliminary Environmental Study, Right of Way Forms) to the U.S. Department of Transportation. NEPA approval for each facility is required prior to execution of the Funding Agreement. Projects exclusively at Multi-Family Housing sites may be exempt.

6. FEDERAL HIGHWAY ADMINISTRATION FORM FHWA-1273

Funded projects with publicly available chargers must be bound by all provisions of [Form FHWA-1273, "Required Contract Provisions Federal-Aid Construction Contracts"](#). Projects exclusively at Multi-Family Housing sites may be exempt.