

A REQUEST FOR PROPOSAL FOR PROFESSIONAL SERVICES CONTRACT

Department of Highways Professional Services Procurement Bulletin 2023-09 Electric Vehicle Charging Station Deployment Inspection Services

This document constitutes a Request for Proposals for a Professional Service Contract from qualified individuals and organizations to furnish those services as described herein for the Commonwealth of Kentucky, Department of Highways.

I. PROJECT DESCRIPTION

This statewide contract is to provide necessary Electric Vehicle (EV) Project Inspection Services through the means of inspection and administration of EV Charging Stations built with National Electric Vehicle Infrastructure (NEVI) Formula funds. One (1) consultant will be selected to provide these services.

II. PROJECT INFORMATION

Project Manager - Justin Harrod
User Division - Planning
Approximate Fee - \$1,500,000 Cost Plus a Fixed Fee
Project Funding - Federal Funds

III. PURPOSE AND NEED

The purpose is to provide support to the KYTC Division of Planning to assist with the federal requirement of inspection and administration of EV Charging stations once construction at the Candidate Site begins and through the 5-year operations performance period. The Consultant would be available as needed by the Division of Planning to monitor and inspect the work of contractors and subcontractors, to make sure they are adhering to the federal requirements the State (KYTC) needs to provide the federal government.

IV. DBE GOAL

While DBE requirements do not apply to NEVI Formula Program funds, KYTC encourages the involvement of traditionally disadvantaged firms. Further guidance is contained in the NEVI Formula Program Questions and Answers and the National Electric Vehicle Infrastructure Standards and Requirements, Final Rule, Code of Federal Regulations Section 23, Part 680 (23 CFR 680).

V. SCOPE OF WORK

The Consultant shall provide adequate coverage to cover the number of corridor-group and selected NEVI recipients requested by the Cabinet for on-site inspection of the

construction/maintenance/data retrieval of EV charging stations. The inspectors shall use inspection instruments (provided by the Cabinet or FHWA), and visual inspection to inspect the contractors work and ensure compliance with all contract provisions, including enforcement of the Kentucky Standard Specifications, Special Notes and Provisions, the project proposal, and the plans. The inspectors shall keep complete and accurate records of all work performed, preparation of final paperwork, and the materials used in accordance with state and federal construction specifications.

Inspectors shall coordinate with their assigned state project manager to keep accurate records to include a daily time sheet of hours/etc. of their work according to the Consultant's contract.

The Consultant will provide inspectors who have successfully completed the certifications as specified below, and maintain their qualification for the duration of the contract. The inspectors shall demonstrate, or obtain through training, experience and knowledge of on-site EV construction, EV inspection and record keeping of data related to EV charging stations. The inspectors shall be capable of handling the physical requirements needed to access and perform arms-length inspection of the entire project. The inspectors will need to make sure the contractor is adhering to several requirements. These will include, but not limited to, using qualified technicians, security, customer service, interoperability, traffic control devices, data submittal, etc. The inspector's responsibility will be reserved for those of an engineering technician and will not require a commercial driver's license, operating equipment, or work as a laborer.

One (1) consultant will be selected to provide these services through construction and the 5-year operating term. The Contract may be modified to add additional work, as needed.

VI. SPECIAL INSTRUCTIONS

The Department reserves the option to modify the selected Consultants' agreement to include any necessary engineering and/or related services for this project. The firm(s) or one of their subconsultants must at that time be prequalified by the Department in the required area(s).

Instructions for Response to Announcement can be found at:

<https://transportation.ky.gov/ProfessionalServices/Pages/Respond-to-an-Announcement.aspx>

VII. ADDITIONAL INFORMATION

The required personnel must be able to report for work at EV deployment sites after the consultant is given a two (2) week notice for their services, and applicable personnel will receive a two (2) week notice prior to their services no longer being required. Inspectors must supply their own vehicle with safety light, personal protection equipment, Standard Specifications Manual, Standard Drawings Manual, the Construction Guidance Manual, and EV related specifications. The inspectors should expect to be utilized at locations throughout the state.

The following services shall be provided by the consultant throughout the duration of the contract:

- Assisting the Cabinet in monitoring the installation, operation, and maintenance by qualified technicians of EV charging infrastructure
- Confirming contractors have accurate Interoperability of EV charging Infrastructure
- Certifying contractors comply with traffic control devices or on-premises signs acquired, installed, or operated

- Ensuring contractors submit the NEVI and contract required data
- Confirming contractors are supplying accurate information to the public on EV charging infrastructure
- Assisting the Cabinet in ensuring contractors are adhering to all Federal requirements
- Assisting the Cabinet in verifying contractors are adhering to Buy America, Build America Standard

The [final minimum standards](#) for federally funded EV infrastructure states the following:

§ 680.106 – Overseeing the installation, operation, and maintenance by qualified technicians of EV charging infrastructure

§ 680.106 (b) – Number of Charging Ports

When including DCFCs located along and designed to serve users of designated AFCs, charging stations must have at least four network-connected DCFC charging ports and be capable of simultaneously charging at least four EVs

§ 680.106 (c) – Connector Type

All charging connectors must meet applicable industry standards. Each DCFC charging port must be capable of charging any CCS-compliant vehicle and each DCFC charging port must have at least one permanently attached CCS Type 1 connector.

§ 680.106 (d) – Power Level

DCFC charging ports must support output voltages between 250 volts DC and 920 volts DC. DCFCs located along and designed to serve users of designated AFCs must have a continuous power delivery rating of at least 150 kilowatt (kW) and supply power according to an EV's power delivery request up to 150 kW, simultaneously from each charging port at a charging station.

§ 680.106 (e) – Availability

Charging stations located along and designed to serve users of designated Alternative Fuel Corridors must be available for use and sited at locations physically accessible to the public 24 hours per day, 7 days per week, year-round.

§ 680.106 (f) – Payment Methods

- (1) Provide for secure payment methods, accessible to persons with disabilities, which at a minimum shall include a contactless payment method that accepts major debit and credit cards, and either an automated toll-free phone number or a short message/messaging system (SMS) that provides the EV charging customer with the option to initiate a charging session and submit payment;
- (2) Not require a membership for use;
- (3) Not delay, limit, or curtail power flow to vehicles on the basis of payment method or membership; and
- (4) Provide access for users that are limited English proficient and accessibility for people with disabilities. Automated toll-free phone numbers and SMS payment options must clearly identify payment access for these populations.

§ 680.106 (g) – Equipment Certification

Must ensure that all chargers are certified by an Occupational Safety and Health Administration Nationally Recognized Testing Laboratory

§ 680.106 (h) – Security

Must implement physical and cybersecurity strategies consistent with KYTC's respective State EV Infrastructure Deployment Plans to ensure charging station operations protect consumer data and protect against the risk of harm to, or disruption of, charging infrastructure and the grid.

Additional information is available. Please see § 680.106 (h) for further details.

§ 680.106 (i) – Long-Term Stewardship

Must ensure that chargers are maintained in compliance with this part for a period of not less than 5 years from the initial date of operation.

§ 680.106 (j) – Qualified Technician

Shall ensure that the workforce installing, maintaining, and operating chargers has appropriate licenses, certifications, and training to ensure that the installation and maintenance of chargers. Certification from the Electric Vehicle Infrastructure Training Program ([EVITP](#)).

Additional requirements and/or scenarios apply. Please see § 680.106 (j) for further details.

§ 680.106 (k) – Customer Service

Must ensure that EV charging customers have mechanisms to report outages, malfunctions, and other issues with charging infrastructure.

Additional information is available. Please see § 680.106 (k) for further details.

§ 680.106 (l) – Customer Data Privacy

Charging station operators must collect, process, and retain only that personal information strictly necessary to provide the charging service to a consumer, including information to complete the charging transaction and to provide the location of charging stations to the consumer.

Additional information is available. Please see § 680.106 (l) for further details.

§ 680.106 (m) – Use of Program Income

Any net income from revenue from the sale, use, lease, or lease renewal of real property acquired shall be used for Title 23, United States Code, eligible projects.

Additional information is available. Please see § 680.106 (m) for further details.

§ 680.108 – Interoperability

- (a) Charger-to-EV Communication
- (b) Charger-to-Charger-Network Communication
- (c) Charging-Network-to-Charging-Network Communication
- (d) Network Switching Capability

Additional requirements and information is available. Please see § 680.108 for further details.

§ 680.110 – Traffic Control Devices

- (a) Manual on Uniform Traffic Control Devices for Streets and Highways
- (b) On-Premises Signs.

Additional requirements and/or information is available. Please see § 680.110 for further details.

§ 680.112 – Data Submittal

Must ensure the following data are submitted in a manner prescribed by the FHWA:

- (a) Quarterly Data Submittal.
- (b) Annual Data Submittal.
- (c) One-time Data Submittal.
- (d) Community Engagement Outcomes Report.

Additional requirements and information is available. Please see § 680.112 for further details.

§ 680.116 – Public EV Infrastructure Information

- (a) *Communication of Price* – The price for charging must be displayed
- (b) *Minimum Uptime* – Must ensure that each charging port has an average annual uptime of greater than 97%.
- (c) *Third-Party Data Sharing* – Must ensure that the following data fields are made available, free of charge, to third-party software developers,
Additional requirements and information is available. Please see § 680.116 for further details.

§ 680.118 Other Federal Requirements

All applicable Federal statutory and regulatory requirements apply to the EV charger projects. These requirements include, but are not limited to:
Additional requirements and/or information is available. Please see § 680.118 for further details.

Buy America, Build America Standard

Ensure to the best of one's knowledge the contractor is following [BABA Standard](#).

Inspector

The inspector must be qualified by having at least five (5) years of experience inspecting federal projects ~~and the ability to obtain EV installation training~~. Engineering education may be substituted on an annual basis with the KYTC's Project Manager's approval. The inspector must have understanding of EV construction practices, record keeping and workmanship in regard to inspections. The inspector must be capable of handling the physical requirements needed to access and perform all inspection activities on any EV construction project. The inspector shall hold and maintain certifications for Industry Standard Training throughout the duration of the contract.

Responses should include a list of inspectors with these qualifications. If certain qualifications are pending due to an upcoming class, then note that in the response. The inspectors must have all EV understanding of construction and inspection before reporting to duty.

Inspectors that fail to show experience and understanding of construction practices, record keeping and workmanship in regard to inspections may be dismissed from the project without two (2) weeks' notice.

If a consultant firm supplies any EV related services for a NEVI fund recipient, it will be considered a conflict of interest if the consultant also supplies inspection services for the Department.

Subcontracting may be allowed if approved by the Project Manager in the Division of Planning. The request to subcontract must include a company prequalified with a brief description of the work to be performed by the subcontractor along with an explanation of why the subcontract is warranted. The request to allow subcontracting will be evaluated on a case-by-case basis. The Project Manager will notify the Consultant of decision within seven (7) days.

VIII. PREQUALIFICATION REQUIREMENTS

To respond to this project, the Consultant must be prequalified in the following areas by the response due date of this advertisement.

[Construction Engineering Services](#)* (see note below)

- Construction Project Supervision

* Note – This prequalification is not required with the initial proposal as it is uncertain to the extent practicable if they are necessary. Should these services become necessary during the delivery of the project in this or future phases, the selected Consultant team must obtain the required qualifications before providing those services or bring on a prequalified subconsultant at that time.

IX. PROCUREMENT SCHEDULE

Dates other than Response Date are tentative and provided for information only.

- Advertisement Posted March 14, 2023
- Response Date April 5, 2023, by 4:30 PM ET (Frankfort Time)
- First Selection Meeting April 10, 2023
- Final Selection April 26, 2023
- Project Scoping Meeting May 3, 2023
- Notice to Proceed June 14, 2023

X. PROJECT SCHEDULE

Individual inspection packages will be determined during the project scoping process.

XI. EVALUATION FACTORS

Consultants will be evaluated by the selection committee based on the following, weighted factors:

1. Project approach and proposed procedures to accomplish the services for the project. (20 Points)
2. Record of performance on projects similar in type and complexity. (15 Points)
3. Relative experience of consultant personnel assigned to project team with highway project for KYTC and/or federal, local, or other state governmental agencies. (15 Points)
4. Available team workload capacity to comply with project schedule. (10 Points)
5. Knowledge of the locality and familiarity of the general geographic area. (2 Points)

XII. SELECTION COMMITTEE MEMBERS

1. Justin Harrod, User Division
2. Mikael Pelfrey, P.E., User Division
3. Erika Drury, P.E., Secretary's Pool
4. Stephen De Witte, P.E., Secretary's Pool
5. Bart Bryant, P.E., Governor's Pool

XIII. CORRIDOR MAP

