

# CALeVIP 2.0 Golden State Priority Project Launch 2

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## Terms and Conditions

# Golden State Priority Project Terms and Conditions

Last Updated: 08/25/2023

## I. Applicable Requirements

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The California Electric Vehicle Infrastructure Project (“CALeVIP”) is administered by the Center for Sustainable Energy (“CSE”) through the California Energy Commission’s (“CEC”) Clean Transportation Program. At the time an eligible person (“Applicant”) submits an online incentive application (“Application”) for the Golden State Priority Project (“Project” or “GSPP”) through the CALeVIP 2.0 Application Portal, the Applicant Organization agrees to be bound by these Project Terms and Conditions and the Project [Implementation Manual](#) available on CALeVIP.org (“CALeVIP website”). The Terms and Conditions and Implementation Manual may be updated at any time. The Applicant Organization must adhere to the most recent version of the Terms and Conditions and Implementation manual posted on the CALeVIP website, which will supersede any previous versions published.

## II. Applicant Requirements

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For a person to be eligible to submit an Application and thus considered an Applicant, they must meet the following requirements:

- 1) Be an Authorized Representative of a commercial or public facility installation site. An authorized representative is defined as the owner of the site (“Site Owner”) where the charging installation being incented will be installed (“Proposed Installation”) or an individual that has received permission from the Site Owner, via the [CALeVIP Site Verification Form](#), to apply on behalf of the Site Owner for the Proposed Installation.
- 2) Represent any of the following (“Applicant Organization”):
  - a. A Business that is based in California or has a California-based affiliate;
  - b. A Sole Proprietorship that is based in California or has a California-based affiliate;
  - c. A Non-Profit Organization that is based in California or has a California-based affiliate;
  - d. A government entity that is based in California or has a California-based affiliate; or
  - e. A California Native American Tribe listed with the Native American Heritage Commission at the time of application.
- 3) Any legal action against the Applicant Organization, either threatened or actual legal action, cannot impact the completion or operation of the Proposed Installation or disbursement of the reserved rebate funds.

A Business is defined as a Corporation, Limited Liability Company (“LLC”), Limited Partnership (“LP”), General Partnership (“GP”), or Limited Liability Partnership (“LLP”), as defined by the California Secretary of State.

Sole Proprietorships and DBA's (Doing Business As; also, called fictitious business name, assumed business name, or trade name) cannot apply as a business and must instead apply as a Sole Proprietorship.

California business entities and non-California business entities that conduct intrastate business in California and are required to register with the California Secretary of State must do so and be in good standing to become an Applicant Organization. If not currently registered with the California Secretary of State, aspiring Applicant Organizations should contact the Secretary of State's Office as soon as possible. For more information, visit the Secretary of State's website at: [www.sos.ca.gov](http://www.sos.ca.gov).

### **III. Application Process**

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Applications are only accepted during an open application window, which provides Applicants the opportunity to thoroughly review Application information prior to submission. All Application information and Application documents submitted during the applicable application window, will be deemed as final and corrections to this information will not be permitted.

#### **III.A. Prohibited Application Processes**

CSE reserves the right to cancel any Application it reasonably suspects was submitted using any method that could disadvantage other Applicants, including, but not limited to, Applications submitted using bots or other automated processes. CSE further requires unique login credentials for submitting Applications and prohibits the sharing of unique login credentials among individuals, including among individual staff within the same organization or entity, for the purposes of submitting Applications. By accepting these requirements, the Applicant certifies under penalty of perjury under the laws of the State of California that these methods were not used to submit an Application.

#### **III.B. Application Requirements**

For an Application to be awarded a reservation of rebate funding ("Funds Reserved Status"), an Applicant must complete and submit an eligible application through the CALeVIP 2.0 Application Portal. To be considered an eligible application, an Application must include the following ("Application Requirements"):

- 1) A complete Application including, but not limited to:
  - a. Applicant Organization's name, as registered in the State of California;
  - b. Applicant Organization's address, as registered in the State of California;
  - c. Applicant Organization's mailing address;
  - d. Applicant Organization's Tax ID Number;
  - e. Full name and contact phone number of the primary person responsible for managing the Application on behalf of the Applicant Organization ("Application Manager");
  - f. The address of a site identified as eligible for the Project ("Eligible Site"), and where the Proposed Installation will be installed ("Installation Address") (see Site Requirements);

- g. Selection of charging equipment identified as eligible for the Project (see Equipment Requirements), **for a total of at least four (4) charging ports** (“Eligible Equipment”); and
  - h. Selection of a network provider identified as eligible for the Project (see Network Provider Requirements) (“Eligible Network Provider”).
- 2) A completed Site Verification Form (“SVF”) providing confirmation that the Applicant Organization is the Site Owner OR that the Site Owner authorizes the Applicant Organization to install the charging equipment at the site.
- a. A SVF is considered complete if:
    - i. The file submitted is of good quality, as defined below (“Quality Submittal Standards”):
      - 1. Complete with date and signature;
      - 2. Completion of all relevant text and fields on documentation;
      - 3. Copy free of handwritten changes;
      - 4. Contains the relevant CALeVIP/permit/utility application number;
      - 5. Installation address, organization name, and/or property owner name matches that of the address/organization/owner verified on the Application;
      - 6. Submittal of correct and fully complete referenced documents;
      - 7. All information included must be verifiable;
      - 8. Clear, legible scans/photos of submitted documents; and
      - 9. Complete pages of all submitted document copies, including all original text and images.
- 3) A complete Permit Application Package or Utility Service Design Package that adheres to the Quality Submittal Standards.
- a. A Permit Application Package is considered complete if it includes:
    - i. A copy of the issued permit, or a copy of the permit application, for the Proposed Installation.
    - ii. A copy of the plan set submitted with the permit application.
      - 1. Plan set must show all civil and electrical work that the permit is being applied for.
    - iii. If submitted a copy of the permit application, either:
      - 1. An invoice or receipt showing paid plan check fees; or
      - 2. Communication from the permitting agency showing no fees due for the permit application.
  - b. A Utility Service Design Package is considered complete if it includes:
    - i. A copy of the final design, or a copy of the final utility service design in progress documentation, or an official letter stating that no new or upgraded service is necessary for the Proposed Installation.
    - ii. A copy of any plan sets or electrical calculations submitted with the application.
      - 1. If submitting a plan set, it must, at minimum, include a single-line diagram of electrical work that the new/upgraded service is being requested for.
      - 2. If submitting electrical calculations, they must, at minimum, include the EV charging capacity that the new/upgraded service is being requested for.

- iii. If a copy of the new/upgraded service application was submitted, EITHER:
  1. An invoice or receipt showing paid engineering advance; or
  2. Communication from the utility showing no fees due for the new/upgraded service application.

**Note: An Application for which any Proposed Installation construction work has begun before the close of the Application Window will be ineligible to be awarded Funds Reserved Status.**

### **III.C. Reservation of Rebate Funds**

After submission, Applications will be assigned a prioritization tier ("Tier") based on the documents submitted for the Permit/Utility Service Application Package document slot ("Permit/Utility Slot").

- 1) Applications providing both (1) an issued permit for the Proposed Installation and (2) a final utility service design for the Proposed Installation or an official letter stating that no new or upgraded service is necessary for the Proposed Installation, through the Permit/Utility Slot will be placed in the highest Tier ("Ready to Build") and then randomly assigned a place in the queue.
- 2) Applications providing (1) a final utility service design for the Proposed Installation or official letter stating that no new or upgraded service is necessary for the Proposed Installation and (2) a Permit Application, through the Permit/Utility Service Application Package document slot will be placed in the second-highest Tier ("Utility Design Approved") and then randomly assigned a place in the queue after all Tier 1 Applications.
- 3) Applications providing (1) a Final Utility Design in Progress, (2) Permit Application, and (3) a site plan through the Permit/Utility Service Application Package document slot will be placed in the lowest Tier ("Utility Design in Progress") and then randomly assigned a place in the queue after all Tier 1 and Tier 2 applications.
- 4) If an application fails to meet Utility Design in Progress (minimum) requirements before closing of the Application Window, applicants may be eligible for the Conditional Waitlist. A complete Conditional Waitlist package includes:
  - a. Copy of the new/upgraded utility service design application, including a copy of the plan set for the Proposed Installation and a receipt showing paid engineering advance OR other verification of submission of utility application to the utility service provider OR communication from the utility service provider showing no fees due for new/upgraded utility service application.

Rebate funding will be reserved in queue order, for all eligible applications, or until all the funding allocated for the Application Window is reserved, whichever occurs first. The date that an Application is awarded Funds Reserved Status is the Funds Reserved Date.

Any unfunded Applications in the queue will be retained for a maximum of one hundred ninety (190) days after the Application Window closes in the event that reserved funding becomes available.

The amount of rebate funding reserved for an eligible application will be determined based on the selected Eligible Equipment (“Eligible Equipment”) guaranteed output and number of charging ports, for up to twenty (20) charging ports, as identified in the table below:

<b>Guaranteed Output per Charging port</b>	<b>Rebate Funding Reserved per Charging port</b>
150kW – 274.99kW	\$55,000
275kW+	\$100,000

For any Installation Addresses receiving more than one (1) Application, a single Application will be randomly selected prior to a Tier being assigned. Only the single Application that is randomly selected will be assigned a Tier and assigned a place in the queue.

Applicants who cannot meet the minimum Utility Design in Progress requirements to be considered for funding can meet the Conditional Waitlist requirements with submission of the following documents through the Permit/Utility Service Application Package document slot: 1) Utility Design Application; and 2) Site Plan.

Applications will be processed in order of the randomized queue. If the project is oversubscribed, any remaining Tier 1-3 applicants on the queue will be funded in queue order if additional funds become available. Once all remaining queue applicants are exhausted, processing will open for the conditional waitlist. In order to be considered for funding, Conditional Waitlist applications must demonstrate adherence to Tier 1, 2, or 3 requirements. Applications coming off the Conditional Waitlist will be processed in order of documentation submission via email and will be pulled forward from the Conditional Waitlist only if funding remains and will be added to the end of the queue.

Any remaining queue applicants and the Conditional Waitlist will be held active for one hundred ninety (190) days after the application window closes in the event that reserved funding becomes available. After one hundred ninety (190) days, all remaining un-reserved applications will be cancelled.

## IV. Post-Application Process

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### IV.A. Checkpoint Requirements

Within sixty (60) calendar days from the Funds Reserved Date, the Applicant Organization must provide the following (“Checkpoint Documents”) that adhere to the Quality Submittal Standards:

- 1) A copy of an issued permit for the Proposed Installation, with permit date of issuance included.
- 2) A copy of the final utility service design for the Proposed Installation or an official letter stating that no new or upgraded service is necessary for the Proposed Installation.
  - a. The final utility service design must:
    - i. Be on official utility-branded documentation;
    - ii. Demonstrate all approved utility work associated with the Proposed Installation; and
    - iii. Include the date final design was approved and/or created.
- 3) Proof of the equipment order(s) for the Proposed Installation demonstrating that all required electrical equipment and charging equipment has been ordered.
  - a. The proof of equipment order must include:
    - i. Equipment order quantity is at minimum equal to the quantity applied for within the application; and
    - ii. Date of order of equipment.

**Note: If an Applicant Organization fails to submit the Checkpoint Documents within sixty (60) calendar days from the Funds Reserved date, the Application may lose its Funds Reserved Status and may be cancelled. It is the responsibility of the Applicant Organization to contact CSE to request an extension for the Checkpoint Milestone Deadline to avoid auto-cancellation of the Application.**

CSE may request additional documentation if the submitted Checkpoint Documents do not satisfy the Checkpoint Requirements.

### IV.B. Construction Progress Tracker

Application Managers are required to sign up for the Construction Progress Tracker (“CPT”) by creating an account in Teamwork and accepting the invitation for each eligible application that has rebate funding reserved within five (5) calendar days of emailed invitation.

Application Managers are required to update, on the Applicant Organization’s behalf, construction tasks and milestones in the tool once completed in the field.

**Note: If responses to CPT notifications or surveys are not received within fourteen (14) calendar days of each CPT notification or survey being received, applications are at risk of losing their Funds Reserved Status and being cancelled, or of having extension requests denied.**

#### IV.C. Rebate Disbursement Requirements

For an Application to qualify for a rebate disbursement, Applicant Organizations are required to complete the following steps:

- 1) Completion of the Proposed Installation must adhere to the Installation Requirements (see Installation Requirements).
- 2) Submit a complete Installation Progress Questionnaire response at one hundred twenty (120) calendar days, two hundred ten (210) calendar days, three hundred (300) calendar days, and three hundred ninety (390) calendar days from the Funds Reserved date. Applicant Organizations will have a grace period of up to fourteen (14) calendar days to complete responses to each Installation Progress Questionnaire.
- 3) Complete an Installation Data Form online within four hundred fifty (450) calendar days from the Funds Reserved date.
- 4) Submit Supporting Documentation within four hundred fifty (450) calendar days from the Funds Reserved date. Supporting Documentation must be scanned and submitted through the CALeVIP website. Supporting Documentation must include the following (“Supporting Documentation Requirements”) that adhere to the Quality Submittal Standards:
  - a. A signed Electric Vehicle Infrastructure Training Program (“EVITP”) Requirements Affidavit
    - i. EVITP Requirements Affidavit must include:
      1. Project description matching that of the application
      2. Verifiable EVITP certification number.
  - b. Completed Invoice Form
    - i. Invoice Form must include:
      1. Matching invoice date and invoice number for each corresponding invoice; and
      2. Unit Cost, Quantity, and Tax Designation for each invoice line item.
  - c. Copy of paid design/engineering invoice(s), if costs are being submitted for review
    - i. Invoice must include:
      1. Contractor/engineer name, contractor/engineer license number, business address, phone number, itemized costs, and proof of payment (paid in full – cash, check, credit card, etc.); and
      2. Date of payment.
  - d. Copy of paid equipment receipt/invoice, if costs are being submitted for review
    - i. Receipt/Invoice must include:
      1. At a minimum: purchase date, retailer name, business address, phone number, equipment make and model number(s), equipment serial number(s), and proof of payment (paid in full – cash, check, credit card, etc.); and
      2. Equipment order quantity is at minimum equal to the quantity applied for within the application.
  - e. Copy of paid installation receipt/invoice(s), if costs are being submitted for review
    - i. Receipt/Invoice must include:



1. Contractor name, contractor license number, business address, phone number, itemized costs, and proof of payment (paid in full – cash, check, credit card, etc.);
  2. Date of payment; and
  3. Description of installation work.
- f. A signed Network Agreement Acknowledgement form and a copy of the executed network service agreement or contract
  - g. Copy of final inspection card, including inspector sign-off
  - h. At least two (2) photographs of installed and operational charger(s) at the Installation Address
    - i. Photographs must include:
      1. Clear, legible photographs of installed and operational equipment; and
      2. Have CALeVIP labeling visible in each photo.
- 5) Submit station information to the Alternative Fuels Data Center station locator tool for all charging stations incentivized through the Project.
  - 6) Receipt of initial charger session data by CSE demonstrating that the Proposed Installation is an operational site. Generally, CSE will work to obtain this information from the selected Eligible Network Provider. However, if the selected Eligible Network Provider is not cooperating, CSE may request the Applicant Organization to submit this initial charger session data as well as subsequent charger session data (see Section VI on Operational Requirements for more details).

CSE may request additional documentation if the submitted Supporting Documentation does not satisfy the Supporting Documentation Requirements.

**Note: If an Applicant Organization fails to submit the Supporting Documentation within four hundred fifty (450) calendar days of the Funds Reserved date, the Application will lose Funds Reserved Status and will be cancelled.**

#### **IV.D. Eligible Costs**

Reserved funds may only be used to offset costs considered eligible (“Eligible Costs”). Costs incurred after June 16, 2023, may be eligible to be covered by the rebates disbursed through the first application window of the GSSP given that they fall under one (1) of the eligible cost categories:

- Equipment including EVSE, transformer, panels, advanced energy storage and all-inclusive solar EV charging systems.
- Installation costs (labor and materials).
- Utility service orders.
- Planning/engineering.
- Signage
- Network agreements.
- Extended warranties.
- Stub-outs.
- Design, engineering and utility service costs.

- Required American with Disabilities Act (“ADA”) upgrades to site due to project, but not to include or cover upgrades of existing ADA noncompliance.
- Demand management equipment.

#### **IV.E. Ineligible Costs**

Costs that are ineligible to be covered by rebates disbursed through this first application window of the GSPP may include, but are not limited to:

- Permits required by the local Authority Having Jurisdiction (“AHJ”);
- Stand-alone solar panels;
- Any project costs offset by other incentive programs or projects; and
- Any costs incurred prior to the date the incentive project landing page launches.

#### **IV.F. Combination with Other Incentives**

Incentives from programs that are considered stackable may be used to cover EV charger installation project costs not covered by the GSPP, but in no case could stacking of incentives exceed actual costs of the project. Only by meeting all project requirements will an application be eligible for CALeVIP incentives; determination of eligibility for any stackable programs does not confer eligibility under the project. Other potential sources of funding may include, but are not limited to, the Low Carbon Fuel Standard (“LCFS”).

#### **IV.G. Rebate Disbursement**

Rebates will be issued to the Applicant Organization and may only cover costs incurred by the Applicant Organization.

Rebate amounts will be for fifty percent (50%) of the Proposed Installation’s Total Approved Costs, but not exceeding the rebate funding reserved for the Application. Disbursements will occur after the completion of the Proposed Installation and after CSE approves the corresponding Application for payment.

Applicant Organizations will have the option of receiving rebate funds through a check sent by mail or through an electronic funds transfer to an account under the Applicant Organization’s name.

**Note: Checks must be cashed within six (6) months of the date on the check. Checks not cashed within this timeframe will be cancelled and must be reissued, if within eligible contract timeframe.**

#### **IV.H. Extensions**

Projects funded by CALeVIP 2.0 must be completed within four hundred fifty (450) total calendar days to receive funding.

If a project is expected to exceed this time, an extension must be requested and approved via the online Extension Request Form. All application extension requests must be made and reviewed according to

the Extension Policy that is effective on the date the request is made. The Extension Policy may be updated at any time to best serve CALeVIP. When an extension request is received from the Applicant, the most current version of the Extension Policy will be adhered to by CSE.

**Note: All applications that are past their expiration date without an approved extension are subject to losing Funds Reserved Status and will be cancelled.**

## V. Eligibility Requirements

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### V.A. Installation Requirements

A Proposed Installation must be completed in accordance with the following requirements to be eligible for disbursement of reserved rebate funds:

- A Representative must obtain any required permits and comply with all applicable federal, state, and municipal laws, rules, codes, and regulations for work performed to complete the Proposed Installation.
- The Proposed Installation and all work performed to complete the Proposed Installation must be carried out by a qualified and licensed contractor in accordance with all local, state, and federal codes, permitting, and inspection requirements.
  - Per CA Public Utilities Code 740.20, the installation of EV chargers must be completed by EVITP certified electricians. For more information EVITP, visit [evitp.org](http://evitp.org)
  - All electric vehicle charging infrastructure and equipment located on the customer side of the electrical meter 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 Electric Vehicle Infrastructure Training Program ("EVITP") Certification. Any Proposed Installation to install a charging port supplying 25 kilowatts or more to a vehicle must have at least twenty-five percent (25%) of the total electricians working on the crew for the project, at any given time, who hold an EVITP Certification.
- All persons working to complete the Proposed Installation must be paid prevailing wage in compliance with California Prevailing Wage law.
  - All contractors shall comply with California Prevailing Wage law and pay prevailing wages accordingly.
- A signed EVITP Requirements Affidavit that adheres to the requirements in Section IV (Post-Application Process) must be submitted

**Note: If a Proposed Installation fails to be completed in accordance with these Installation Requirements, the Proposed Installation will not be eligible for disbursement of reserved rebate funds. The corresponding Application will lose Funds Reserved Status and will be cancelled.**

## V.B. Site Requirements

The site where the Proposed Installation will be installed is considered an Eligible Site if it meets the following requirements.

- Installation Address is located within one of the following funding regions:

- **Northern Region**

Butte County	Colusa County	Del Norte County	El Dorado County	Glenn County
Humboldt County	Lake County	Lassen County	Mendocino County	Modoc County
Napa County	Nevada County	Placer County	Plumas County	Sacramento County
Shasta County	Sierra County	Siskiyou County	Solano County	Sonoma County
Sutter County	Tehama County	Trinity County	Yolo County	Yuba County

- **Southern Region**

Los Angeles County	Orange County	San Diego County
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- Installation Address is located in a Disadvantaged Community (“DAC”) or Low-Income Community (“LIC”) census tract, as defined by the California Climate Investments Priority Populations Map 4.0.
- Premises are well-lit, secure and in compliance with all federal, state and municipal laws, ordinances, rules, codes, standards and regulations, once the Proposed Installation is completed.
- The Proposed Installation is not located behind a fence or in a gated parking lot closed to the public after hours.
- The Proposed Installation does not have any time restrictions for availability to the public.
- The Proposed Installation is publicly available 24 hours per day, 365 days a year.
- Proposed Installations in standalone City/county/private owned parking lots or garages that are exempted from the general availability requirements, instead must have the chargers accessible to the public at least eighteen (18) hours a day, seven (7) days a week, excluding holidays.
- The primary use of the site supports one of the following site types:
  - Airport: Parking facilities at airports that serve the public are eligible sites. Long-term parking uses are not allowed.
  - Business district: An area within a community that has a high concentration of businesses and average dwell times of thirty (30) minutes or less. The site must have a direct line of sight to the major road. This is typically the central area or commercial center of a town, city, or unincorporated area, though many business districts may be present within these areas. Dealerships, office buildings, and warehouses are not eligible under this site type.
  - Casino: A building where gambling games of chance against the house/casino are played. Standalone poker rooms or card halls are ineligible.
  - Charging Hub: An existing paved site for which the primary purpose is to provide battery recharging services to electric vehicles.
  - City/county/private-owned parking lot or garage: A publicly or privately owned parking building or lot (i.e., parking is the primary use) that provides parking spaces to the public

and is accessible at least eighteen (18) hours a day, seven days a week, excluding holidays. Workplace locations and long-term parking uses are not eligible. Pay-to-park is eligible.

- College/university: Must be an accredited, nonprofit two- or four-year college or university.
- Community center: A facility owned and operated by a public agency or a non-profit community organization. The primary purpose of the facility must be for recreation, social welfare, community improvement, or public assembly.
- Gas station: Any facility that, as its primary use, serves as a motor vehicle fueling service station retailing petroleum-based automotive fuels (e.g., gasoline, diesel, E10/E15) to the general public and has additional complementary customer store(s) or service(s) located on-site.
- Grocery store: A store that sells food and household supplies.
- Hospital: A facility that provides any medical services. This includes clinics, dental offices, urgent cares and any other facility providing medical services.
- Hotel: A hotel must meet the two criteria below:
  - Is a permanent building for the primary purpose of short-term lodging.
  - Provides access to dining, shopping, or entertainment options available to the general public, OR is less than a quarter mile from another eligible site.
- Large-format retail store: Large, free-standing, generally single-floor, retail stores over 80,000 square feet offering a variety of products to their customers.
- Library: A place in which literary, musical, artistic, or reference materials (such as books, manuscripts, recordings, or films) are kept for use but not for sale.
- Place of worship: a building used for the gathering of a religious or faith-based organization for spiritual purposes.
- Police or sheriff station: Storefront police or sheriff substations that serve the surrounding community and adjacent areas. Proposed Installations at police and sheriff stations are still subject to public accessibility requirements and should not primarily be for fleet use.
- Public transit hub: Centers for public transit, including light rail stations, train stations and bus stations. Does not include park and ride lots.
- Restaurant: A business where meals and refreshments may be purchased.
- Retail shopping center: A group of retail and other commercial establishments that is planned, developed, owned, and managed as a single property.

**Note: If a Proposed Installation fails to comply with these Site Requirements, the corresponding Application will not be granted Funds Reserved Status and will be cancelled.**

### **V.C. Equipment Requirements**

The Proposed Installation is considered eligible for rebate reservation if:

- The Proposed Installation is installing Eligible Equipment; and
- The electrical infrastructure is one of the following:
  - New to the Eligible Site;
  - Existing on the Eligible Site but charging equipment has not been present on the site previously (known as stub-out or make-ready); or
  - Existing on the Eligible Site and existing charging equipment will be replaced.
    - DC Fast Chargers are eligible for replacement only if the currently installed DC Fast Charger has a power output that is below 40kW.

- Non-DC Fast Chargers are not eligible for replacement.

Charging equipment is considered Eligible Equipment if the equipment:

- Is new, meaning it is installed for first time.
- Uses Combined Charging System (“CCS”) connectors and/or CCS adapters that are fully integrated into the charger such that they cannot be removed from the site.
  - Tesla and CHAdeMO connectors may be installed but will not be considered when determining the maximum rebate amount for the installation.
- Is networked, meaning the equipment meets the following criteria:
  - Be networked via Wi-Fi, ethernet or cellular connection (4G and above);
  - Connect to a back-end network and be capable of “over-the-air” updates;
  - Capable of utilization data collection; and
  - Minimum six (6) year networking agreement, eligible toward total approved costs.
- Always provides at least a 150-kW guaranteed power output at each charging port, when requested by a vehicle.
  - Guaranteed output is defined as: the maximum power that can be provided per charging port when all charging ports are in use.
  - Charging port is defined as: the number of DCFC connectors that can supply the rebated guaranteed output at any one time.
- Uses an implementation of the Open Charge Point Protocol (“OCPP”) version 1.6 or later.
  - Via self-attestation on product specification sheet.
- Does not require a subscription or membership to dispense energy.
- If payment is required, the following payment options must be physically located on the charger, or on a kiosk serving the charger:
  - A mobile payment device; and
  - A toll-free number.
- Certified by a Nationally Recognized Testing Laboratory Program (“NRTL”) to either UL 2202 or UL 9741.
- ISO 15118 Hardware-Ready, via manufacturer attestation on the product specifications sheet as a version of “ISO 15118” or as “ISO 15118 Hardware Ready”.
- Registered on the [CALeVIP 2.0 Equipment Eligibility Dashboard](#) as eligible for the Project.

**Note: If Applicants change the equipment submitted on the Application after approved for Funds Reserved, the Applicant must adhere to the most current version of the Eligible Equipment list for the new equipment at the time they request the change.**

**Note: If a Proposed Installation fails to comply with these Equipment Requirements, the corresponding Application will not be granted Funds Reserved Status and will be cancelled.**

## V.D. Network Provider Requirements

All Network Providers must submit an intake form for CSE to review compliance with minimum requirements and begin the data sharing agreement process. All Network Providers must meet the following requirements to participate in the GSPP:

- Provide networking services for EV charging stations;
- Maintain a six (6) year network service agreement immediately after the equipment installation;
- Have a signed data-sharing agreement in place with CSE;
- Be capable of processing payments through a toll-free number option and initiating a charging session remotely;
- Implement a mechanism to transfer the required data to CSE with a format and frequency that is acceptable to CSE and the CEC;
- Be capable of obtaining and providing the charging session data identified in each network provider's data sharing agreement (Required Data) using 15-minute intervals;
- Be capable of obtaining the required data identified in the signed data-sharing agreement ("Required Data"); and
- Provide the Required Data on at least an annual basis.

**Data requirements may change, subject to changes in state regulation such as those triggered by California Assembly Bill 2061 (Chapter 345, Statutes of 2022), which is further detailed below.**

**Note: If Applicants change the Network Provider submitted on the Application after approved for Funds Reserved, the Applicant must adhere to the most current version of the Eligible Network Provider list at the time they request the change.**

**If a Proposed Installation fails to contract with an Eligible Network Provider for networking services, the corresponding Application will not be granted Funds Reserved Status and will be cancelled.**

**If an Eligible Network Provider fails to provide the Required Data in at least an annual basis, the Network Provider may be ineligible for future funding from CALeVIP and the Applicant Organization for each Proposed Installation may be required to submit the Required Data directly to CALeVIP.**



## VI. Operational Requirements

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After the Proposed Installation is completed, its operation must adhere to the following requirements:

### VI.A. Operational Requirements

The Applicant Organization is required that each charger in a Proposed Installation is “up” at least 97% of a site’s standard hours of operation and that the chargers shall remain in service at the Installation Address for a minimum of seventy-two (72) months.

The Proposed Installation is “up” when its hardware and software are both online and available for use, or in use, and the charging connector successfully dispenses electricity as expected. The Proposed Installation’s Uptime will be calculated by CSE, as follows, on an annual basis:

- Uptime = ((Total Standard Hours of Operation – Downtime + Excluded Downtime) / (Total Standard Hours of Operation)) \* 100%
- Downtime is defined as any 15-minute interval within the standard hours of operation in which a charger is not operational.
  - “Not operational” is defined as a 15-minute interval in which the charge point’s response to the central system’s request for notification of operative status indicates that the connector or charge point is in an inoperative state.

Excluded downtime is defined as a period of downtime, within the standard hours of operation, caused by any of the following:

- Electric Grid Power Loss: Power supplied by the electric utility for a site is not supplied at levels required to for minimum function of the Proposed Installation. This may include, but is not limited to, service outages due to utility equipment malfunction or public safety power shut offs.
- Accident, Vandalism or Theft: Physical damage to the Proposed Installation for events such as vehicle collision with a charger, theft of charging cables, damage to connectors from mishandling, and damage to screens. Excluded downtime is limited to a maximum of five (5) days for each event.
- Telecommunication Network Outages: Loss of communication between a charger and a central system due to cellular or internet service provider system outages that are beyond the control of the Applicant Organization. Downtimes caused by cellular communication chips that are no longer compatible with existing cellular networks do not count as excluded downtime.
- Planned Outage for Maintenance or Upgrade: Any planned maintenance.
- Extraordinary Events: Unforeseeable events that would have been impossible to plan for using commercially reasonable methods.

A change in ownership of the Proposed Installation site does not relieve the Applicant Organization from the Uptime requirements described above.

### VI.B. Charging Session Data Requirements

- Grant CSE and the CEC direct access to EV charger utilization data for six (6) years through the Applicant’s selected Eligible Network Provider, through acceptance of these requirements
- If the Applicant’s selected Eligible Network Provider does not provide the Required Data to CALeVIP on an annual basis, the Applicant Organization will be responsible for providing the Required Data within ninety (90) days of being notified by CSE, and then thereafter on an annual basis.
- A change in ownership of the Proposed Installation site does not relieve the Applicant Organization from the charging session data requirements described above.

### **VI.C. California Assembly Bill 2061 Requirements**

For all electric vehicle chargers and charging stations installed on or after January 1, 2024:

- Comply with recordkeeping and reporting standards as described in CEC’s regulations. These requirements are not applicable to those electric vehicle chargers and charging stations installed at residential real property containing four or fewer dwelling units.
- Comply with all industry best practices and charger technology capabilities that are demonstrated to increase reliability, as described in CEC’s regulations.
- Without limitation to other requirements in this grant agreement, Applicants shall comply with any other regulatory requirements, including but not limited to, uptime requirements and operation and maintenance requirements. Such regulatory requirements may, but will not necessarily, be enacted after execution of CALeVIP. Once regulations are final, they will apply to work under CALeVIP irrespective of when finalized. Any updates to regulations may also be applicable to work under CALeVIP.
- If the Applicants is an electric vehicle service provider or other third-party entity that is not the site host, the electric vehicle service provider or third-party entity shall provide a disclosure to the site host about the site host’s right to designate the service provider or third-party as the entity to report the data on behalf of the site host. The Applicants shall verify receipt by signing the disclosure.

### **VI.D. Application & Research Data**

- CSE and CEC reserve the right to request voluntary participation from incentive recipients in ongoing research efforts that support the goals of CALeVIP.
- Through submission of an Application to the Project, an Applicant agrees to allow the CEC and CSE to utilize Application and charging session data for publicly available data tools, included, but not limited to, the CEC’s and/or CALeVIP’s Cost Transparency Tool(s).

**If an Applicant Organization is found to not comply with the Operational Requirements (“Non-Compliance”), the Applicant Organization will be notified of Non-Compliance by the CEC. The Applicant Organization will be required to repay rebate funds to the CEC, within sixty (60) calendar days of receiving a notification of Non-Compliance. The repayment amount will total of two percent (2%) of the rebate for each year of Non-Compliance, for up to six (6) years of operation.**

## **VII. General Terms & Conditions**

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As a condition for participating in the Project, an Applicant must comply with the requirements set forth in the Implementation Manual. An Applicant is responsible for reviewing and understanding the Project requirements prior to signing these Project Terms and Conditions and must meet requirements that include, but are not limited to, the following:

### **IV.A. Notice and Correspondence**

CSE has the right to contact the Applicant Organization, Applicant Site Owner, or Applicant Rebate Recipient at any time for relevant project information or necessary data.

### **IV.B. Governing Law**

These Terms and Conditions and all related documents, and all matters arising out of or relating to the Project, whether sounding in contract, tort, or statute are governed by, and construed in accordance with, the laws of the State of California, United States of America (including its statutes of limitations), without giving effect to the conflict of laws provisions thereof to the extent such principles or rules would require or permit the application of the laws of any jurisdiction other than those of the State of California. Any legal suit, action, or proceeding arising out of or relating to this Project shall be instituted in the courts of the State of California in each case located in the County of San Diego, and each party irrevocably submits to the exclusive jurisdiction of such courts in any such suit, action, or proceeding.

### **IV.C. Dispute Resolution**

An Applicant shall attempt in good faith to resolve any dispute arising out of, or relating to, this transaction promptly by negotiations between CSE or his or her designated representative and an Applicant or their designees. Either party must give the other party, or parties, written notice of any dispute. Within thirty (30) calendar days after delivery of the notice, the parties shall meet, and attempt to resolve the dispute. If the matter has not been resolved within thirty (30) calendar days of the first meeting, any party may pursue other remedies including mediation. All negotiations and any mediation conducted pursuant to this clause are confidential and shall be treated as compromise and settlement negotiations, to which California Evidence Code Section 1152 shall apply. Notwithstanding the foregoing provisions, a party may seek a preliminary injunction or other provisional judicial remedy if in its judgment such action is necessary to avoid irreparable damage or to preserve the status quo. Each party is required to continue to perform its obligations under this Contract pending final resolution of any dispute arising out of, or relating to, the Project.

### **IV.C. Taxes**

An Applicant agrees to file federal and state tax returns and pay all applicable taxes on amounts received under the Project. An Applicant shall be solely liable and responsible to pay such taxes and other obligations, including, but not limited to state and federal income taxes.

### **IV.D. Statutory Compliance.**

An Applicant shall comply with all applicable federal, state and local laws, regulations, statutes, and policies applicable to participation in the Project.

## VIII. Declarations

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Please review each statement below. By clicking Accept and Continue you are indicating that you agree with the following statements and that information provided in your application is accurate and truthful.

I am either the owner of the site (“Site Owner”) where the charging installation being incented will be installed (“Proposed Installation”) or an individual that has received permission from the Site Owner, via the CALeVIP Site Verification Form, to apply on behalf of the Site Owner for the Proposed Installation, and agree to the following declarations:

1. I have read, understood, and agreed to the requirements of the Golden State Priority Project outlined above.
2. I will ensure all contractors working to complete the Proposed Installation will pay Prevailing Wage in compliance with California Prevailing Wage law.
3. I will ensure that the construction and installation of the Proposed Installation adheres to the EVITP certification requirements as mandated by California Public Utilities Code Section 740.20
4. I will ensure that any legal action against the Applicant Organization, either threatened or actual legal action, does not impact the completion or operation of the Proposed Installation or disbursement of the reserved rebate funds.
5. I choose to voluntarily submit any personally identifying information contained within the application information for the purposes of processing the incentive and enforcing the Requirements.
6. I expressly consent to allow the CALeVIP 2.0, which is funded by the CEC and implemented by the CSE, to share any personally identifiable information contained within the application or collected as part of the project, including but not limited to the signed application, contact information, site address, EV charger utilization data and supporting documents with Project Partners, Project Subcontractors, and with other organizations and agencies providing similar or related incentives in the project region, and consent to allow Project Partners and other organizations/agencies to confirm to CSE the status of the project and that the information in the application is accurate.
7. Other organizations/agencies related to the project may contact me and/or the owner directly regarding the CALeVIP 2.0 Application.
8. I have read and agree to the terms of the [Golden State Priority Project Privacy Policy](#).