

Feedback Requested: Ability to Meet Federal Highway Administration (FHWA) Buy America Requirements

Dallas-Fort Worth Clean Cities (DFWCC) is seeking information on clean vehicle technologies that can comply with Buy America requirements set forth by the Federal Highway Administration (FHWA).

Items of interest include information about:

- vehicles,
- aftermarket emissions or alternative fuel products such as Environmental Protection Agency (EPA)- or California Air Resources Board (CARB) certified or verified technologies or systems,
- alternative fuel or electrification infrastructure equipment, and/or
- any other technology or device which would be expected to increase vehicle efficiency or reduce emission and would be useful to vehicle fleets, especially those owned/operated by public sector entities (e.g. transit agencies, municipalities, counties, etc.)

Throughout this solicitation, the term “clean vehicle technologies” is intended to encompass all of these items.

Background:

North Central Texas Council of Governments (NCTCOG)/DFWCC has a history of using FHWA Congestion Mitigation and Air Quality Improvement (CMAQ) funding to facilitate a variety of “clean vehicle technology” projects – most projects have involved purchase of new, low-emitting vehicles to replace older vehicles. However, no commercially available vehicles meet FHWA definitions of Buy America compliance. In short, FHWA Buy America requirements dictate that 100 percent of all iron, steel, and protective coatings acquired through use of their funds must be domestic content. Note that this requirement is not only for domestic assembly, but also for country of origin for the iron and steel components. For more information, see <https://www.fhwa.dot.gov/construction/cqit/buyam.cfm>. Previously, recipients of NCTCOG funding were required to provide a Buy America Certification form indicating that products either could or could not comply with the provisions – copies of this form may be referenced at <https://www.nctcog.org/trans/quality/air/funding-and-resources/agreement-information-and-forms> under “Important Documents/Other Forms” at the bottom of the page.

In previous years, FHWA has issued waivers of Buy America requirements for projects involving acquisition of vehicles with FHWA funding, but this practice has been suspended. Therefore, funding initiatives to acquire new, low-emission vehicles with FHWA funds are not available. NCTCOG/DFWCC is now trying to determine other project types that may be feasible through use of CMAQ funds.

Submission Instructions

Please submit all responses no later than **5:00 pm on Friday, November 13, 2020**, via email to cleancities@nctcog.org. Responses should consist of (1) electronic copy in portable document format (PDF). All responses should be in English and are encouraged to be limited to 10 pages. Graphics, such as maps or photographs, should also be submitted as PDF files and may be included as attachments, not counting against the 10-page limit. Responses should reference “DFW Clean Cities – Feedback on Ability to Meet FHWA Buy America Requirements”.

Responses should address the following content:

Respondent Profile

1. Include full contact information for any necessary follow-up questions, including point of contact name, title, email, and phone number.
2. Describe the type of “clean vehicle technologies” your organization has experience with.
3. Describe any EPA, CARB or other certifications or verification associated with your clean vehicle technologies.
4. Describe any prior projects or installations using your organization's clean vehicle technologies, especially any located in the Dallas-Fort Worth area. Provide contact information for up to three fleets already using your product(s). These fleets may be contacted by NCTCOG for additional feedback. Public sector fleet contacts are preferred over private sector fleets.
5. Describe your organization's interest in working with fleets to incorporate your clean vehicle technologies in new project(s) in the Dallas-Fort Worth area.
6. Describe your organization's experience complying with Buy America requirements from FHWA or any other federal agency.

Clean Vehicle Technology Characteristics

1. Describe all typical components, equipment, or supplies that are used in your clean vehicle technologies that could include iron, steel, and protective coatings. If responding on multiple types of alternative fuel infrastructure sites (e.g. both electric vehicles charging and propane fueling), discuss each type of facility separately.
2. What is the estimated value of the components, equipment, or supplies that include iron, steel, and protective coatings relative to the overall site cost?
3. Describe whether these components, equipment, and supplies can be documented to be domestic content. Domestic content includes not only assembly in the United States, but also domestic origin through the supply chain including the iron, steel, and protective coatings used in the components (e.g. steel must be manufactured in the United States).
4. Provide any documentation available to support claims that components, equipment, and supplies are domestic content.

Supply Chain Characteristics

1. Describe any opportunities that exist to modify the supply chain to incorporate additional domestic content in the required components, equipment, and supplies for the clean vehicle technology.
2. If opportunities to modify the supply chain are currently limited, what would be necessary to create these changes in the supply chain? Financial incentives? Critical minimum of market share requiring these changes?
3. Describe any changes your organization is currently making to modify the supply chain to incorporate additional domestic content.