

CAPITAL LOGISTICS, LLC

ADDENDUM NO. 2

FEDERAL GRANT COMPLIANCE AND CLEAN PORTS PROGRAMMATIC REQUIREMENTS

RFP No.	CL-EVSE-DB-2026-01
Project	Design-Build Services for Integrated Heavy-Duty EV Charging and Energy Infrastructure
Owner	Capital Logistics, LLC
Issue Date	September 15, 2026

1. Purpose of Addendum

This Addendum No. 2 is issued to provide prospective respondents with additional information and clarification regarding federal grant compliance requirements and U.S. Environmental Protection Agency (EPA) Clean Ports Program requirements applicable to the project.

The project is being implemented in connection with funding provided through the EPA Clean Ports Program and administered through the Maryland Port Administration (MPA), with Capital Logistics, LLC serving as a subrecipient.

Capital Logistics' executed Subrecipient Agreement with MPA requires compliance with applicable federal, state, grant, and programmatic requirements and requires applicable provisions to flow down to Capital Logistics' contractors and subcontractors.

Respondents shall consider the requirements identified in this Addendum in developing their technical approach, project schedule, equipment and material selections, subcontracting strategy, and pricing.

Except as expressly modified or clarified by this Addendum, all other requirements of the RFP and previously issued addenda remain in effect.

2. Federal Funding and Grant Compliance

The selected Design-Build Contractor and its applicable subcontractors shall comply with all federal, state, EPA, MPA, and Clean Ports requirements applicable to their respective scopes of work.

Applicable requirements include, but are not necessarily limited to:

- Applicable procurement and cost principles under 2 CFR Part 200;
- Build America, Buy America (BABA) requirements;
- Applicable domestic preference requirements;
- Davis-Bacon and Related Acts (DBRA) requirements for grant-funded construction activities;
- Applicable federal civil-rights and nondiscrimination requirements;
- Suspension and debarment requirements;
- Conflict-of-interest requirements;
- Applicable disadvantaged-business participation requirements;
- Recordkeeping, audit, inspection, and documentation requirements;
- Applicable cybersecurity and information-security requirements;
- Historic-preservation and environmental requirements, where applicable;
- Restrictions on lobbying and other applicable federal requirements; and

- Applicable flow-down requirements for subcontractors and lower-tier contractors.

Respondents shall identify any assumptions, exceptions, requested waivers, or potential compliance concerns associated with proposed equipment, materials, manufacturers, subcontractors, or project approaches.

3. Davis-Bacon and Related Acts

Construction activities funded through the applicable Clean Ports grant are subject to the Davis-Bacon and Related Acts, including applicable prevailing-wage, reporting, recordkeeping, and compliance requirements.

Respondents shall account for these requirements in their proposed pricing, construction approach, subcontracting plan, schedule, and compliance administration. The selected Design-Build Contractor will be responsible for ensuring applicable DBRA requirements are incorporated into and complied with under applicable subcontracts.

4. Electrician Certification Requirements

Electric charging infrastructure installed, operated, or maintained under the applicable Clean Ports-funded scope must meet applicable EPA workforce and installation requirements.

Electricians installing, operating, or maintaining electric charging infrastructure purchased through the program shall be certified under the Electric Vehicle Infrastructure Training Program (EVITP), or another program approved by EPA in consultation with the U.S. Department of Labor and U.S. Department of Transportation, as applicable under the grant award.

For project phases requiring more than one electrician, at least one electrician performing work during each applicable phase shall satisfy the applicable certification requirement.

Respondents shall identify how they intend to satisfy this requirement and shall account for the requirement when selecting electrical contractors and subcontractors.

5. Ineligible Front-of-Meter Infrastructure Costs

Respondents are advised that EPA assistance funding may not be used for certain front-of-meter infrastructure costs associated with the purchase or installation of electric infrastructure.

Examples identified by MPA include, but are not limited to:

- Major grid upgrades to utility-owned power-distribution equipment;
- Longer power-line extensions;
- Improvements to off-site power generation;
- Bulk-power transmission infrastructure;
- Substations;
- Transformers located on the utility side of the meter and their installation; and
- Operation and maintenance performed on utility systems.

This restriction does not necessarily prohibit such infrastructure from being required or developed for the project. Rather, respondents shall clearly distinguish between eligible Clean Ports-funded infrastructure and utility-side or other infrastructure that may require separate funding, utility investment, Owner funding, or another approved funding source.

Respondents should clearly identify any assumed **front-of-meter versus behind-the-meter scope, responsibilities, and costs** in their proposals.

6. Utility Coordination

Capital Logistics has coordinated with BGE regarding electrical capacity for the Phase I project site. As previously clarified through the procurement process, 4.5 MW of electrical capacity has been approved for the project site, subject to continued utility coordination, engineering, final service design, infrastructure requirements, point-of-interconnection requirements, construction responsibilities, schedule, and costs.

The selected Design-Build Contractor will be expected to continue appropriate coordination with Capital Logistics and BGE. Respondents shall separately identify any utility-side improvements or costs that may fall outside the eligible Clean Ports-funded scope.

7. Backup Generation and Air-Polluting Infrastructure

EPA assistance funding may not be used for infrastructure that relies on air-polluting components, including backup generators or auxiliary power units, unless the applicable non-zero-emission component is: (1) mandated by applicable safety regulations; and (2) functions solely as an emergency backup power source.

Respondents proposing any non-zero-emission emergency backup resource shall clearly identify:

- The proposed technology;
- Its intended function;
- The technical or regulatory basis for its inclusion;
- Whether it is required by applicable safety regulations;
- Expected operating conditions;
- Proposed funding treatment; and
- Any Clean Ports eligibility or compliance considerations.

Any such component will be subject to review and approval by Capital Logistics and, where required, MPA and/or EPA before incorporation into the grant-funded project scope.

8. Power Generation Systems

EPA assistance funding may not be used for power-generation systems utilizing non-renewable-powered backup generators, except as otherwise expressly permitted under applicable Clean Ports requirements.

Solar, renewable-energy resources, battery energy storage, and other proposed distributed-energy resources shall be identified separately within the respondent's technical and pricing proposal where applicable.

Respondents shall not assume that a proposed energy resource is grant-eligible solely because it is technically integrated into the charging facility.

9. Hydrogen Infrastructure

EPA assistance funding may not be used for the following under the applicable infrastructure restrictions communicated by MPA:

- Hydrogen-production systems, including electrolyzers and conversion facilities;
- Associated hydrogen-production infrastructure and installation; or
- Transmission, piping, pipelines, and/or transportation of hydrogen outside of the port.

Respondents should not include such infrastructure within the Clean Ports-funded base scope unless subsequently authorized through formal written clarification.

10. BABA and Domestic-Content Compliance

Respondents shall account for applicable Build America, Buy America and domestic-content requirements when proposing equipment, manufactured products, iron, steel, construction materials, and other applicable project components.

Respondents shall identify known or potential BABA compliance concerns associated with proposed major equipment or materials. Where a respondent believes a proposed component may require a waiver, exception, alternative compliance determination, or further eligibility review, the respondent shall clearly identify the issue in its proposal.

No respondent should assume that a waiver will be granted.

11. BESS, Microgrid, EMS and VPP Integration

The RFP contemplates an integrated charging and energy infrastructure solution that may include battery energy storage, microgrid functionality, energy-management systems, managed charging, controls, communications, and related infrastructure as described in the solicitation.

Virtual Power Plant (VPP) participation is considered an optional opportunity in addition to the core Clean Ports-funded project and should not be assumed to constitute a required grant-funded component unless subsequently determined eligible and approved.

However, Capital Logistics would like the proposed architecture to provide the technical integration capability and future-readiness necessary to support potential VPP participation without requiring substantial redesign of the core system.

Respondents may separately propose optional services associated with VPP/DER market assessments, utility or PJM program screening, aggregator integration, revenue modeling, registration support, or future market participation.

VPP-related costs shall be separately identified from the Clean Ports-funded base scope unless an applicable basis for grant eligibility is established and approved.

12. Eligible and Non-Eligible Cost Identification

Respondents shall structure their proposals so that Capital Logistics can reasonably distinguish among:

A. Base Clean Ports-Funded Scope

Equipment, construction, engineering, integration, and other costs proposed as eligible under the applicable grant.

B. Non-Grant-Funded or Potentially Ineligible Scope

Costs identified as outside the grant-funded scope or requiring another funding source.

C. Optional Scope

Enhancements, future capabilities, VPP-related services, additional resilience features, or other optional components.

D. Items Requiring Eligibility Determination

Components for which grant eligibility is uncertain or requires MPA/EPA review or approval.

Capital Logistics reserves the right to request additional cost segregation or supporting documentation during proposal evaluation, negotiations, contracting, design development, and grant-compliance review.

13. Contractor and Subcontractor Flow-Down Requirements

The selected Design-Build Contractor shall be responsible for ensuring that applicable federal, EPA, MPA, Clean Ports, and other grant requirements are incorporated into applicable subcontracts and lower-tier agreements.

Respondents should account for these obligations when selecting subcontractors, suppliers, manufacturers, consultants, and other project participants.

14. Documentation and Audit Readiness

The selected Design-Build Contractor shall maintain sufficient project documentation to support Capital Logistics' grant administration, reimbursement, audit, reporting, inspection, and compliance obligations.

Required contractor documentation may include, as applicable, invoices, payroll documentation, certified payrolls, equipment and material certifications, domestic-content documentation, subcontractor records, procurement documentation, technical records, commissioning documentation, and other evidence necessary to establish compliance and reimbursement eligibility.

15. Proposal Responsibility

Respondents remain responsible for reviewing the RFP, all addenda, the Consolidated Respondent Questions & Answers, and other formally issued procurement materials.

Nothing in this Addendum should be interpreted as representing that every proposed project component or cost will automatically qualify for reimbursement under the Clean Ports award.

Final grant eligibility and compliance determinations remain subject to applicable grant requirements and, where required, review or approval by Capital Logistics, MPA, EPA, or other applicable authorities.

Respondents are encouraged to clearly identify potential compliance issues or eligibility questions in their proposals rather than assuming eligibility.

ACKNOWLEDGMENT OF ADDENDUM

Respondents shall acknowledge receipt of **Addendum No. 2** in their proposal submission in accordance with the RFP requirements.

Except as specifically clarified or modified herein, **all other terms, conditions, requirements, and deadlines of RFP CL-EVSE-DB-2026-01 and previously issued addenda remain unchanged.**

END OF ADDENDUM NO. 2