

Electric Vehicles, \$16.7 Million for Infrastructure Funding, and Charging Station Development in the District of Columbia

By Renardo (Rick) Hicks, Lisa A. Bell, and Lauren M. Burge

The Bipartisan Infrastructure Law (BIL) established \$7.5 billion for individual states to create, operate, and ensure chargers are more accessible to all Americans with electric cars. The program includes \$5 billion National Electric Vehicle Infrastructure (NEVI) Formula Program and the \$2.5 billion Charging and Fueling Infrastructure Program. Each state has developed its own timeline to develop the NEVI program and the District of Columbia begins its program next week - **March 29, 2024**. The District of Columbia received **\$16.7 million dollars** from the U.S. Department of Transportation to implement its NEVI program and applicants can obtain a Request for Applications (RFA) to apply for funds next week.

Applicants for grant funding include local governments, local businesses, utility providers, EV charging station companies, and a host of related vendors and contractors. Grant recipients can receive up to 80 percent (federal cost share) of eligible project costs, which will require a minimum matching contributions up to 20 percent from private or non-federal sources. The District has not established a cap on the total project costs or the number of available awards.

The RFA process consist of three key dates: (1) March 29, 2024; first date the detailed list of requirements applicable becomes available to the public, (2) May 1, 2024; last date applicants may pose questions to the District related to application requirements, and (3) May 24, 2024; the deadline for submitting applications the District's DOT. Applicants need to identify appropriate sites along pre-designated routes, invest in electric vehicle supply equipment (EVSE) and be ready to deploy Direct Current Fast Charging (DCFC) stations along the designated Alternative Fuel Corridors (AFCs) which are part of the national EV AFC network. The District reportedly prefers placement of EZ charger stations on private properties rather than public grounds.

Eckert attorneys have a core team of experienced and seasoned practitioners who can assist applicants with every aspect of the NEVI program, in particular with applications for funding, site identification and zoning/land use matters. Our clients include service providers, and related vendors or contractors who own, operate, and manage all aspects of charging electric vehicles stations as well as its equipment apparatus. The District has identified 5 key gateway thoroughfares where DOT has established: (a) two existing AFCs that are designated corridor-ready, including New York Avenue (US-50), and the I-295 and Anacostia Freeway (DC-295), and then (b) three AFCs that are designated gateway corridor (pending) are I-395 and I-695, Rhode Island Ave (US-1/US-29), and Pennsylvania Ave SE toward the state of Maryland.

Our team can provide relevant documentation for your project, Notice of Funding Availability (NOFA) dated December 15, 2023 ([here](#)), and the District's January 25, 2024 webinar discussing the NOFA ([here](#)). Submissions should pay significant attention to details such as priority locations, coordination with public utilities, minimum equipment requirements, a detailed scoring rubric and execution of a NEVI legal agreement.

For more information and assistance with participation in this significant funding opportunity, please contact Lisa A. Bell at lbell@eckertseamans.com or 202-659-6629, Lauren M. Burge at lburge@eckertseamans.com or 412-566-2146, or Renardo (Rick) Hicks at rhicks@eckertseamans.com or 717-237-6081. Eckert Seamans attorneys have practical experience across a broad range of practices, such as energy, utilities, and public transit, and work with a diverse group of clients, including government entities and private businesses. In our most successful relationships, we have become a part of our clients' risk and project management teams, helping design the strategies necessary to achieve their objectives and implement their strategic plans successfully and cost-effectively.

We are a full-service law firm that can assist with: EV charging grant research and writing, RFP writing, introduction and relationship management with EV charging manufacturers and service providers, contract negotiations and review, as needed in various states and jurisdictions across the country.