



**Questions & Answers  
from the October 4 ,2022**

# **Equity Accountability System Webinar, Part 1**

Below is a list of frequently asked questions that arose during the first of a two-part webinar series explaining the Equity Accountability System and how it applies to the Adjustable Block Program/ Illinois Shines. Please find more detailed information on the Equity Accountability System page of the Program website [www.illinoisabp.com/equity-accountability-system/](http://www.illinoisabp.com/equity-accountability-system/).

*What does the 10% equity commitment consist of?*

- The 10% equity commitment is based on the total number of employees. For example, if an AV has 100 employees working on projects participating in Illinois Shines, that AV must have at least 10 Equity Eligible Persons employed to meet the 10% MES (Minimum Equity Standards). This includes both project installation workforce and workforce in administrative, sales, marketing and technical roles where those workers' duties are performed in Illinois.

*Is 10% of the project workforce required to be in Illinois?*

- Yes, the IPA's "project workforce" definition includes only workers whose duties are performed in Illinois.

*Do the Minimum Equity Standards (MES) apply just to construction?*

- The MES are **not** limited to construction. Per Section 10.1.1. of the Long-Term Renewable Resources Procurement Plan project workforce is defined as, "Employees, contractors and their employees, and subcontractors and their employees, whose job duties are directly required by or substantially related to the development, construction, and operation of a project that is participating in or intended to participate in the IPA-administered programs and procurements under Section 1-75(c) of the IPA Act. This shall include both project installation workforce and workforce in administrative, sales, marketing, and technical roles where those workers' duties are performed in Illinois."

*When does compliance with the MES start?*

- The Equity Accountability System will take effect in the first delivery year after the approval of the IPA's 2022 Long-Term Renewable Resources Procurement Plan, which is the 2023-2024 delivery year beginning June 1, 2023. Therefore the 2023-2024 delivery year minimum equity standard is 10%. By June 1, 2023, existing Approved Vendors and Designees must file an annual Minimum Equity Standards Compliance Plan.

*Does being a foster parent satisfy the one of the categories to qualify as an EEP/EEC?*

- No. Only people who are enrolled or were formally enrolled in the foster care system can qualify as EEPs or EECs.

*Under the categories for an entity to qualify as an EEC, how will the IPA evaluate applications based on status as formerly incarcerated?*

- The Program Administrator will be reviewing EEC applications will request documentation verifying the relevant individual's previous incarceration. Determinations will be made on a case-by-case basis.

### *Are all AVs required to meet the Minimum Equity Standards?*

- Yes, all Approved Vendors and Designees, with the exception of those who are EEC-certified, are required to comply with the Minimum Equity Standards.

### *What is the review process for the Minimum Equity Standards Compliance Plans? Will Approved Vendors be able to correct or alter Compliance Plans after they are reviewed?*

- The Compliance Plan Assessment is described in Section 10.1.1.5 of the August 2022 version of the [Program Guidebook](#). The Agency will utilize a graduated rating system to evaluate Compliance Plans. A rating of 1 (Needs Development), indicates that the entity must review, correct, and/or include missing compliance items in order for the plan to be approved. This rating indicates that the Agency identified inconsistencies in the plan, putting the applicant at risk of non-compliance, and that the plan will not be accepted without updates or inclusion of requirements that need resolution or are missing.
- As stated in the 2022 Long-Term Renewable Resources Procurement Plan, Compliance Plans that receive a rating of 1 will be rejected and the AV or Designee will be sent a recommended corrective action plan. If the Agency discovers an area of the Compliance Plan that needs to be amended or requires correction, the Agency will notify the applicant in writing of the required correction(s) within fourteen days. The applicant will then have thirty days to submit the amended portion of the Compliance Plan. Applicants may request deadline extensions that will be granted by the Agency on a case-by-case basis. After resubmittal of a corrected Compliance Plan, the Agency will notify the applicant in writing of the final re-evaluation status. The Agency will have a maximum of twenty-one days to notify the program participant of final acceptance of the Compliance Plan. The Agency will accept multiple revisions of a proposed Compliance Plan.

### *Is there a public list of EEC-certified Approved Vendors and Designees?*

- Yes, the Program Administrator has published a list of [EEC certified Approved Vendors](#) and EEC certified Designees that have consented to sharing contact information on the Program website.

### *Do EEC-certified Approved Vendors receive any advance of capital?*

- Up to 50% of the contract value may be advanced to an EEC-certified Approved Vendor. To be eligible for an advance of capital, an EEC must request the advance of capital in the Part I application of the project, along with a short narrative description of the need being addressed, and what key project development milestone will trigger the disbursement. The narrative description should include a breakdown of costs that the advance will cover and may be submitted on a confidential basis. Once a project has been Part I verified and the contract or product order approved by the Commission, the EEC will then submit verification of achievement of the specified milestones to the Agency for review and approval. The EEC will then invoice the utility for the advancement following the regular invoicing process and the utilities will process this invoice following the same, with the payments made by the contracting utility on the regular monthly invoicing cycle.
- This advancement of capital is only offered to EEC Approved Vendors.

### *Can EEC Approved Vendors use non-EEC Designees?*

- Utilization of the capacity in the Equity Eligible Contractor category is limited to Approved Vendors who qualify as an EEC. Equity Eligible Contractor Approved Vendors may choose to work with Designees or on their own, and those Designees may or may not be also EEC certified. However, Approved Vendors that do not qualify as an EEC but partner with a Designee that does qualify as an EEC are ineligible to participate in the EEC category. These Approved Vendors must submit their projects to another Program category. Utilization of EEC certified Designees can have an effect on Traditional Community Solar scoring. Please see more information in the [Traditional Community Solar Project Selection Final Guidelines](#).

### *How should AVs and Designees approach collecting sensitive information from employees?*

- The IPA Act requires AVs and Designees to employ a certain number of EEPs (10% of project workforce), but the IPA is unable to advise AVs and Designees as to the best method of identifying such individuals. The Agency has provided multiple examples of recruitment and outreach methods in its Long-Term Plan. Program participants who have concerns regarding the collection of sensitive information from their employees and applicants should consult an attorney.

### *Does an AV or Designee need to gather data from employees of subcontractors for qualification as EEPs?*

- Although all employees that make up the project workforce, including employees of subcontractors, must be included in meeting the MES, the IPA does not require that an AV take any specific step to identify EEPs, nor does it advise AVs regarding the best approach for their business. Please see the previous question regarding collection of sensitive information

### *How is the data collected for EEP and EEC qualification protected?*

- The IPA also cannot advise AVs regarding their internal data protection needs. However, the IPA can assure applicants that all personally identifiable information and other sensitive, confidential information shared with the Agency for the purpose of meeting the MES will be appropriately and securely handled.

### *If an Approved Vendor is already qualified as an Equity Eligible Contractor, do they have to comply with the Equity Accountability System?*

- Approved Vendors who are Equity Eligible Contractors are by virtue of their participation in the Program, in full compliance with the Equity Accountability System and thus do not need to submit a Compliance Plan. However, EECs will need to report on the demographic and geographic data of their employees, just as other AVs do.

### *How does the Equity Accountability System apply to Nested Designees within the Program?*

- Nested Designees, as registered Designees within the Program will need to comply with the Minimum Equity Standards and submit a Compliance Plan and subsequent report on the equity of their workforce.