



Illinois Shines/Adjustable Block Program Equity Accountability System and Illinois Shines Informational Webinar

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Today's Presenters



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Webinar Goals

Recap important information covered in the "Part 1 – Equity Accountability System and Illinois Shines" webinar, including:

- Diversity, Equity and Inclusion goals from the Climate and Equitable Jobs Act (CEJA) and through CEJA and the 2022 Long-Term Plan
- Equity Accountability System
- Minimum Equity Standards
- Equity Eligible Contractor (EEC) Block & EEC Certification

Provide an in-depth look at what makes an effective or ineffective Compliance Plan

Review scenarios where it would be appropriate to submit a Waiver Application

Provide information for available support resources and a forum to answer stakeholder questions



Agenda

- Webinar Goals
- Recap of 10/4/2022 EAS Webinar
- FAQ from 10/4/2022 EAS Webinar
- Compliance Plans
- Waiver Applications
- Resources and Questions



Recap of October 4, 2022 EAS Webinar

CEJA and the Equity Accountability System

The Climate and Equitable Jobs Act (Public Act 102-0662) amended the Illinois Power Agency Act to expand the "priority access to the clean energy economy for business and workers from communities that have been excluded from economic opportunities in the energy sector, have been subject to disproportionate levels of pollution, and have disproportionately experienced negative public health outcomes."

One of the Pillars in the diversity and equity framework as passed in CEJA is:

1. Creation of an Equity Accountability System (EAS), including minimum equity standards applicable to all renewable energy procurements.

The **Equity Accountability System (EAS)**, includes:

1. Minimum Equity Standards (MES) applicable to all applicants to the Agency's Adjustable Block Program and competitive procurements.

- Beginning in **Program Year 2023-2024**, at least 10% of project workforce for each entity must be comprised of Equity Eligible Persons (EEP). **By 2030**, at least 30% of the project workforce for each entity participating comprised of EEPs.

2. The Equity Eligible Contractor category within the Program



Who are Equity Eligible Persons and Contractors?

Equity Eligible Persons can be:

1. Graduates or current or former participants in the Clean Jobs Workforce Network Program, Clean Energy Contractor Incubator Program, Illinois Climate Works Preapprentice Program, Returning Residents Clean Jobs Training Program, or the Clean Energy Primes Contractor Accelerator Program, and the solar training pipeline and multicultural jobs program created by FEJA
2. Persons who are graduates of or currently enrolled in the foster care system
3. Persons who were formerly incarcerated
4. Persons whose primary residence is in an equity eligible investment community

Equity Eligible Contractor: A business that is majority-owned by eligible persons, or a nonprofit or cooperative that is majority-governed by eligible persons, or is a natural person that is an eligible person offering personal services as an independent contractor.



Opportunities for AVs and Designees to engage eligible persons:

- Educational workshops for local eligible workforce
- Job-shadowing through DCEO workforce hubs
- Energy Workforce Equity Database
- Job fairs
- Accessing untapped local labor pools (i.e. trade schools, community colleges)
- Developing training programs addressing life skills and financial management
- Special funding for dislocated workers and/or training for project work
- Connecting with community-based organizations for wrap around services (i.e. childcare, transportation, mentoring)
- Supporting persons or entities who apply for workforce programs or assistance related to clean energy

"Part 1 – Equity Accountability System and Illinois Shines" Webinar Q&A

Q: For qualification as an EEC, who qualifies as someone formally enrolled in or graduated from the foster care system?

- A: For the purposes of eligibility to be an EEP or the EEC certification, a “graduate or enrollee” of the foster care system refers to an individual who is currently or was formerly a youth in care of the IL Department of Children and Family Services, or the equivalent agency in another state.

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

- A: “Formerly Incarcerated” means any individual who (i) was sentenced to a term of imprisonment, not including juvenile detention, after the disposition of one or more misdemeanor or felony charges; and (ii) has completed their sentence.

Q: Which elements of the EAS apply to Nested Designees?

- A: 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.

Q: When does the Equity Accountability System take effect?

- **A:** Creation of the Equity Eligible Contractor category took effect in the 2021-2022 Program Year with the passage of CEJA. Requirements for Minimum Equity Standards take effect for the 2023-2024 Program Year.

"Part 1 – Equity Accountability System and Illinois Shines" Webinar Resources

An initial webinar introducing the Equity Accountability System was held on October 4, 2022. Resources from the first webinar are available on the Equity Accountability System page of the Illinois ABP website, IllinoisABP.com/equity-accountability-system, including:

- Webinar Recording
- Presentation Slides
- Attestation Form
- Q&A Document





MES Compliance Plans

Compliance Plan Overview

By June 1, 2023, Approved Vendors and Designees are required to submit MES Compliance Plans.

- The Compliance Plan Report will outline how the Approved Vendor or Designee plans to achieve compliance with the minimum equity standard for the upcoming delivery year
 - E.g., the Compliance Plans submitted on June 1, 2023, will explain how the AV plans to meet the 10% MES for all projects submitted to ABP in the 2023-2024 Program Year.
- If an entity applies to be an AV or Designee during a delivery year, Compliance plans are required at time of initial application to be aligned with the Minimum Equity Standards.
- This webinar will discuss elements of the compliance plan, delivery schedules, resources and corrective actions



Minimum Equity Standards — Compliance Plans

All Non-EEC Approved Vendors and Designees must:

- Comply with Minimum Equity Standards
- File an annual Minimum Equity Standard Compliance Plan
 - First Compliance Plans must be filed by June 1, 2023
 - AVs must amend and/or correct Compliance Plans after review from IPA (within 14 days)
 - AVs may seek a waiver IF unable to fulfill minimum equity standards for given delivery year.



Compliance Plan Requirements

Compliance plans must include the following items:

- i. A statement of intent to comply with equity accountability standards for the applicable delivery year and to hire a diverse project workforce including Equity Eligible Persons and Equity Eligible Contractors. This will include a narrative description of how the applicant will meet these commitments.
- ii. Projected number of workers and the demographic breakdown by race, gender, and participation in job training or workforce development programs, or other means of compliance with the standard for equity eligible persons.
- iii. Plans for the use of Equity Eligible Contractors, if applicable.
- iv. Applicant classification (i.e., Minority-owned, Woman-owned, Disabled-owned, Veteran-owned, Small Business, etc.), if applicable.
- v. Communication plan for local outreach to increase the utilization of Equity Eligible Persons and Equity Eligible Contractors.
- vi. Status of any corrective actions or adjustments from prior year Compliance Plans.
- vii. Approved Vendors in the Adjustable Block Program do not need to report on data regarding their Designees but shall report which Designees they worked with in the delivery year to allow the Agency to correlate activities and compliance. This is not meant to relieve Approved Vendors of responsibility to comply with the Equity Accountability Standard, but rather to ensure that efforts are not double counted.

Compliance Plan Assessment

Compliance Plans will be evaluated on the following scale:

1) Needs Development (a rating of 1)

The plan will not be accepted without updating of or inclusion of requirements that need resolution or are missing. AVs will need to review, correct and/or include missing compliance items in order for the Compliance Plan to be approved. Indicates risk of non-compliance.

2) Accepted (a rating of 2)

The plan will be accepted. Indicates that all compliance requirements are in place for Compliance Plan approval.

3) Exceeds Requirements (a rating of 3)

The Compliance Plan will be approved. Indicates that the entity has committed in their written plan to take internal, periodic checks before the mid-year confirmation of progress to evaluate continued effectiveness or risk of the plan and will go beyond the minimum equity standards by 50% (e.g., if the standard for a delivery year is 10%, they commit to achieving 15%). This will include noting best practices and/or areas of adjustment.

Compliance Plans Needing Development

Example reasons a Compliance Plan may receive a rating of 1 and **Needs Development**:

- Narrative description of how AV will meet MES is limited or provides little detail
- Demographic information provided for workforce is missing or incomplete
- Missing any of the reporting requirements outlined in 10.1.1.4 of the Long-Term Plan



Compliance Plan – Sample "Needs Development"

Sample Compliance Plan* that would receive a rating of 1, due to: 1) Wrong delivery year; 2) No statement of intent to comply; 3) Incomplete demographic data on project workforce; and 4) Insufficient level of detail on communication plan for outreach

Climate Equitable Jobs Act - Minimum Equity Standard SAMPLE ILLUSTRATION Compliance Plan – (AV Identification Number # _____) Delivery Year 2022	
MES REQUIREMENT	AV DETAILS
Statement of Intent to Comply	
Project number of workers (include race, gender, workforce training program, and Equity Eligible Person identifier)	Total of 10 workers: 7 – male / 3 – female
Equity Eligible Contractors utilized (if applicable)	Not Applicable
Applicant Classification	Veteran-Owned Business
Communication Plan for Outreach	1) Spoke with Community Based Organization on 5/15/23. 2) Registered to utilize Energy Equity Database on 5/27/23
Status of Corrective Plans (if applicable)	Not Applicable
Designees for Primary AVs Within the Delivery Year	

*The Compliance Plan is not yet developed; this sample is illustrative only, and should not be considered an official template.

Compliance Plan – Sample "Accepted"

Sample Compliance Plan* that would likely receive a rating of 2, with all details completed.

Climate Equitable Jobs Act - Minimum Equity Standard	
SAMPLE ILLUSTRATION Compliance Plan – (AV Identification Number # _____), Delivery Year 2023	
MES REQUIREMENT	AV DETAILS
Statement of Intent to Comply	XYZ Solar Energy affirms its intent to comply with all necessary requirements set forth in Public Act 102-0662 (Climate Equitable Jobs Act) relating to th Minimun Equity Standards and agree to comply with certain obligations, including XXXXXXXXXXXX...
Project number of workers (include race, gender, workforce training program, and Equity Eligible Person identifier)	Total of 10 workers: 7 – Male / 3 – Female 2 African American Males, ABC Workforce Training Program, 1 Enviro. Justice resident
Equity Eligible Contractors utilized (if applicable)	Not Applicable
Applicant Classification	Woman-Owned Business
Communication Plan for Outreach	<p>The Communication Plan for Outreach should answer questions such as:</p> <ul style="list-style-type: none"> •What is the entity's overall plan around outreach? •What messaging with the entity utilize? •Which community organizations will the entity reach out to and coordinate with? •What are your plans to use social media and other communications for outreach? •What is the entity's plan for following up on its outreach? •What course correction do you plan if you are insufficiently recruiting EEPs? •Which local organizations do you plan to contact to help identify EEPs and when? •Where will you post job openings? What social media platforms will you use? •Will you contact local community colleges? If so, how many? When? •Will you work with labor unions to identify potential EEPs? If so, which ones? •Will you offer job shadowing/mentorship opportunities for position exposure? •What community based organizations are you planning to reach out to? When? •Do you plan to network and collaborate with local community leadership assistance? •Is there research into the targeted area you propose to engage •Are there townhalls and workshops held to advertise your company need? •What have you done to clarify your intensions for community engagement to leaders? <p>What are the boundaries?</p> <ul style="list-style-type: none"> •Are there preliminary surveys conducted to establish relationships? •Have you considered language accessibility needs to reach everyone in the community? •Have you reached out within your own firm for potential candidates?
Status of Corrective Plans (if applicable)	Not Applicable
Designees for Primary AVs Within the Delivery Year	1) Sample Designee; 2) 456 Solar Company; 3) XXX Electric Firm

***The Compliance Plan is not yet developed; this sample is illustrative only, and should not be considered an official template.**

Compliance Plan Corrections and Approval

The IPA will offer corrective action plans to entities that are not on track to achieve compliance. IPA will allow continued access to procurement programs upon an approved vendor or designee demonstrating good faith efforts to implement the corrective action plan.

- **Correction Timeline:** After submission of the initial plan, the Applicant will be notified in writing of necessary correction; there will be a 30-day window to amend the plan (extensions will be granted on a case-by-case basis) and the Agency will notify AVs of the final re-evaluation status within 21 days of resubmission
- **Approved Vendors, Designees, and Competitive Procurement Suppliers** must meet all minimum equity standards before being awarded a contract for RECs under an IPA program or procurement, unless the entity has obtained a waiver.

Confirmation and Year End Reporting

- Each Approved Vendor and Designee must submit a year-end report within 45 days after the end of the delivery year in which they have had active participation through activities developing a project or projects.
- Year-end reporting will consist of an updated version of the original Compliance Plan submitted at the commencement of the delivery year and will include data on actual performance compared to the information submitted in the original Compliance Plan.
- Reporting should also reflect any major differences from the Compliance Plan such as new and innovative ways to provide employment opportunities to low-income participants and residents within the environmental justice communities.
- The first Reports will be due after the end of the 2023-2024 delivery year.

Compliance Planning and MES Begin With 2022-2023 Program Year, and Process Repeats Each Year



The Agency proposes to increase the minimum equity standard to 12% for the 2024-2025 delivery year. In the next Long-Term Plan, the Agency will propose future increases of the minimum equity standard over subsequent delivery years to eventually reach the 30% statutory requirement by 2030



MES Waivers

Waiver Overview

- All Approved Vendors should be working to make progress and achieve compliance with the Minimum Equity Standards.
- In cases where Approved Vendors are unable to achieve compliance, they may submit waiver requests.
- Waivers for compliance with the MES should be a last resort in the circumstance that an AV has made a true effort to comply with Minimum Equity Standards but was unable to in that delivery year.



Waiver Requirements

The Agency retains the sole discretion to grant a waiver in rare circumstances. The Agency will grant waivers where the applicant provides evidence of significant due diligence toward meeting the minimum equity standards.

As outlined in the Long-Term Plan, waiver requests should include:

- i. A brief narrative describing the entity's effort to recruit Equity Eligible Persons prior to the start of project development, including utilization of the Energy Equity Workforce Database developed by the Agency as well as the following:
 - a. Working consistently and assertively with approved State job training and workforce development programs to recruit a diverse workforce and provide evidence of outreach
 - b. Maintaining applications of individuals not selected for an opening for contact regarding future project openings
 - c. Participating in job fairs and related local community events to recruit a diverse workforce
- ii. Evidence of efforts to hire or contract with Equity Eligible Contractors such as communications with affiliated community-based organizations and/or training program facilities, State workforce hubs, union hall registers, professional development associations, etc. This should include the date of contact, the agency official and title of the individual contacted.

Waiver Requirements (cont.)

- iii. An attestation providing details of open positions or request for bids where the entity has **not** received inquiries or proposals from Equity Eligible Contractors or Equity Eligible Persons.
- iv. Efforts to proactively establish contracting relationships with Equity Eligible Contractors.
- v. Advertising or formal solicitation using various platforms of targeted social media for no less than thirty (30) business days. Engagement in direct and extensive outreach to appropriately-targeted associations or other relevant organizations to notify them of the project opportunity.
- vi. Evidence that the entity posted all solicitations on appropriate State agency websites, include direct targeted e-mail alerts to appropriate respondents who have registered with State agencies to learn of opportunities.



Enforcement of Standards

The Agency will impose consequences for violations by Program participants due to non-compliance, including but not limited to:

- i. Suspension of the entity's ability to submit project applications to IPA programs during the remainder of the delivery year.
- ii. Repeated violations could potentially result in the Approved Vendor or Designee becoming suspended from the IPA's programs for an entire delivery year.



Stakeholder Feedback Process

The Agency will conduct a stakeholder feedback process to design a more detailed waiver application and assessment process.

In its Final Order, the ICC directed the Agency to assess each waiver request based upon a **quantitative scoring system**. The Agency intends for that scoring system to include the criteria listed in the Plan, with each criterion earning a discrete number of points. However, these criteria may be adjusted based on stakeholder feedback.

The stakeholder feedback process will seek input on both the format of waiver applications and the design of the scoring system for waiver approval. The Agency intends to hold that stakeholder process in early 2023 and will post details on both the IPA and Illinois Shines Program websites.



A photograph of a large array of solar panels installed in a field. In the foreground, there are several tall, thin stalks of purple flowers, possibly fireweed, which are slightly out of focus. The solar panels are dark blue with a grid pattern of silver lines. The sky is a pale blue with some light clouds. A semi-transparent white rectangular box is overlaid on the middle of the image, containing the text 'Support & Next Steps' in a bold, dark blue font.

Support & Next Steps

Sector Strategist Support

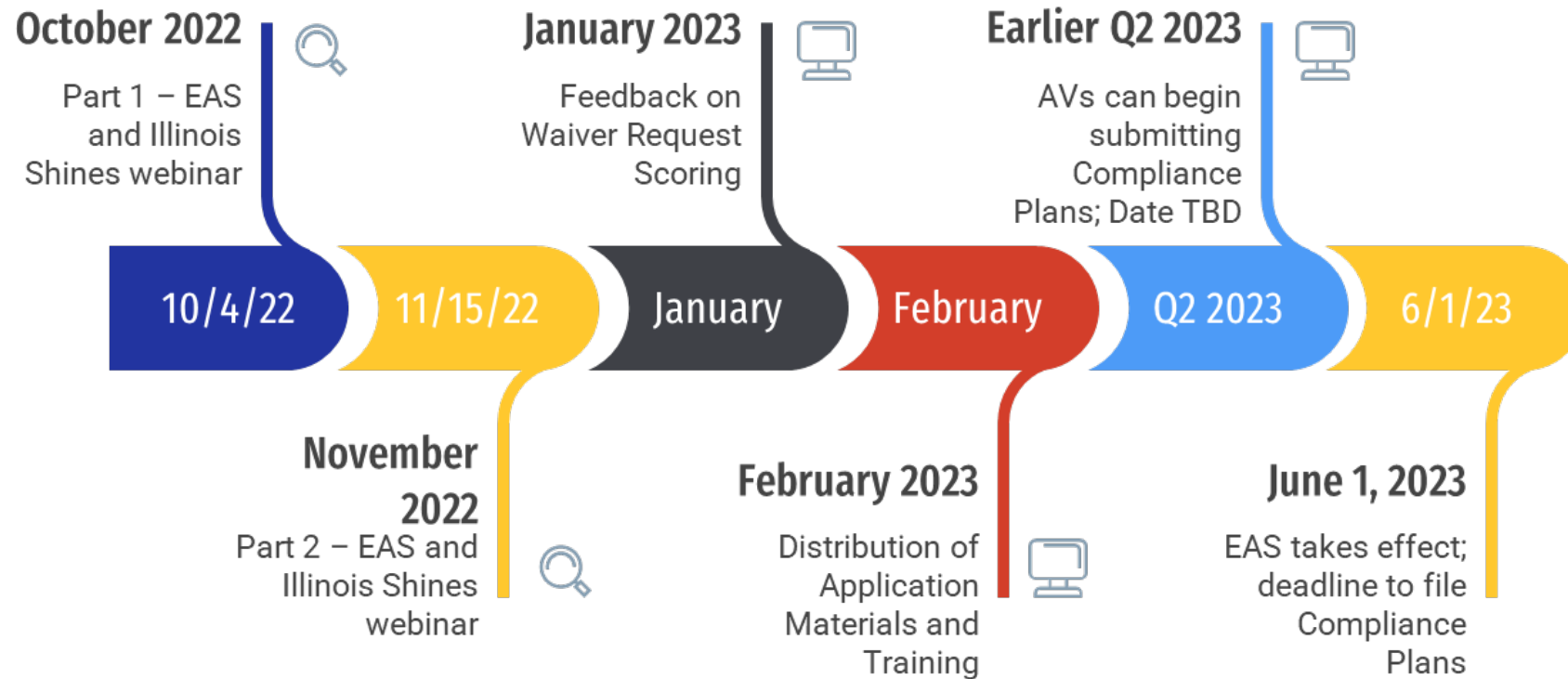
Energy Solutions’ efforts as Program Administrator include the addition of Sector Strategists to support stakeholders and Program success.

Strategists will be available across each of the six sectors

Small DG smallDG@illinoisabp.com	Large DG largeDG@illinoisabp.com	Community Solar communitysolar@illinoisabp.com
Community-Driven Community Solar communitysolar@illinoisabp.com	Public Schools schools@illinoisabp.com	Equity Eligible Contractors EEC@illinoisabp.com

General and ongoing technical support can always be accessed by emailing admin@illinoisabp.com

Compliance Plan Implementation Timeline and Support Materials



Additional details and dates will be shared soon

Coming Soon - New Collateral & Content

- Updated website content
- Guide to the Equity Accountability System
- Spanish-language materials

Attestation Information

Please fill out the Attendance Attestation form by scanning the QR code below or following the link posted in the meeting chat.

For later viewers, the link and QR code will be posted on the program website at <https://illinoisabp.com/equity-accountability-system/>.

<https://bit.ly/EASAttest>





Questions & Answers

Thank you!

