

Initial Energy Storage Procurement Event – Stakeholder Workshop #2 AGENDA

April 8, 2026

- Overview of Stakeholder Workshop #1 held March 17, 2026
- Where Storage Procurement Requirements Come From – Clean & Reliable Grid Affordability Act and [2025 ICC Staff Storage Report](#)
- Timeline of Procurement Development Process
- New Discussion Topics:
 - **LABOR REQUIREMENTS**
 - **Prevailing Wage Act**
 - Proposed implementation to follow process used for IPA Indexed REC procurements and outlined in 2025 ICC Storage Staff Report:
 - Submit copies of Certified Transcripts of Payroll within 5 days of COD
 - Overview of how to comply and consequences for non-compliance
 - **Project Labor Agreement (PLA)**
 - Proposed implementation to follow process used for IPA Indexed REC procurements and outlined in 2025 ICC Storage Staff Report:
 - Submission of PLA within the later of: **(a)** sixty (60) days prior to the start of the Project’s construction, **(b)** thirty (30) days of the execution of such Project Labor Agreement or amendment; or **(c)** thirty (30) days of the Commission Bid Approval Date
 - Overview of how to comply and consequences for non-compliance
 - **Labor Peace Agreement (LPA)**
 - Propose to utilize definition from established definition in [Illinois Cannabis Regulation and Tax Act](#) (410 ILCS 705), see definition below
 - Proposed implementation:
 - Initial Submission of LPA
 - Attestation to knowledge of requirement at Part 1
 - Submission of an executed agreement at COD
 - Continued Compliance
 - Checked annually
 - Assignments
 - New LPA required when contract is assigned to new owner/operator
 - Noncompliance
 - 60 days to get back into compliance with requirement before an Event of Default

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- Overview of how to comply and consequences for non-compliance
- **EQUITY REQUIREMENTS**
 - **Minimum Equity Standard**
 - Proposed starting EEP percentage of 10% for Initial Procurement
 - Proposed implementation to follow process utilized for IPA Indexed REC procurements:
 - **First Compliance Plan** - The first MES Compliance Plan shall be submitted to the IPA within thirty (30) days of the Commission Bid Approval Date
 - **Mid-Year Report** - No later than December 1 of each delivery year, Seller shall provide to the IPA a statement confirming that Seller is on track to meet the Minimum Equity Standard and that there exist no impediments for Seller to meet the Minimum Equity Standard for such delivery year.
 - **Annual Compliance Plan and Report** - By July 15 of each delivery year, Seller shall submit to the IPA a combined report for MES Compliance Plan and the MES Report
 - **Equity Bid Adjustment and Tiebreaker**
 - Per 2025 ICC Staff Report, the IPA proposes not utilizing an equity bid adjustment and rather utilizing an equity based tiebreaker
 - Overview of how to comply and consequences for non-compliance
- Outline of Next Steps in Procurement Development Process

Resources to Review for Preparation

As there is a substantial amount of information to cover in Stakeholder Workshop #2, please review the resources below in advance of the meeting.

- If stakeholders are unfamiliar with the **Minimum Equity Standard (MES)** that is used throughout the IPA's programs and procurements, please review more information on the MES here:
 - **Minimum Equity Standard** is the required minimum percentage of project workforce for participating projects that consists of **Equity Eligible Persons** or contractors.
 - **Equity Eligible Person:**
 - (a) Graduates or current or former participants in qualifying training programs
 - (b) Persons who are graduates of or currently enrolled in the foster care system
 - (c) Persons who were formerly incarcerated
 - (d) Persons whose primary residence is in an equity investment eligible community

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- IPA proposes to utilize the definition for **Labor Peace Agreement** found in Illinois law in the Illinois Cannabis Regulation and Tax Act¹. The Act defines a labor peace agreement as such:
 - "Labor peace agreement" means an agreement between an entity operating an energy storage facility and any labor organization recognized under the National Labor Relations Act, referred to in CRGA as a bona fide labor organization, that prohibits labor organizations and members from engaging in picketing, work stoppages, boycotts, and any other economic interference with the entity operating an energy storage facility. This agreement means that the entity operating an energy storage facility has agreed not to disrupt efforts by the bona fide labor organization to communicate with, and attempt to organize and represent, the energy storage facility's employees. The agreement shall provide a bona fide labor organization access at reasonable times to areas in which the energy storage facility's employees work, for the purpose of meeting with employees to discuss their right to representation, employment rights under State law, and terms and conditions of employment. This type of agreement shall not mandate a particular method of election or certification of the bona fide labor organization.
- Per the [Illinois Project Labor Agreement Act](#), a **Project Labor Agreement** shall:
 - (a) Set forth effective, immediate, and mutually binding procedures for resolving jurisdictional labor disputes and grievances arising before the completion of work.
 - (b) Contain guarantees against strikes, lockouts, or similar actions.
 - (c) Ensure a reliable source of skilled and experienced labor.
 - (d) For minorities and women as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, set forth goals for apprenticeship hours to be performed by minorities and women and set forth goals for total hours to be performed by underrepresented minorities and women.
 - (e) Permit the selection of the lowest qualified responsible bidder, without regard to union or non-union status at other construction sites.
 - (f) Bind all contractors and subcontractors on the public works project through the inclusion of appropriate bid specifications in all relevant bid documents.
 - (g) Include such other terms as the parties deem appropriate.
- Resources with information on **Prevailing Wage** in Illinois:
 - Illinois Department of Labor Prevailing Wage information: <https://labor.illinois.gov/laws-rules/conmed/prevailing-wage-rates.html>
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¹ This definition has been slightly amended to reference CRGA/P.A. 104-0458 and change all instances of "cannabis business establishment" to "energy storage facility".