

Illinois Power Agency

Stakeholder Workshop #2 on the Summer 2026 Energy Storage RFP

April 8, 2026

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Agenda


- IPA Welcome
- Housekeeping Items
- Where Storage Procurement Requirements Come From
- Timeline of Process
- New Discussion Topics:
 - Labor Requirements
 - Prevailing Wage Act
 - Project Labor Agreement
 - Labor Peace Agreement
 - Equity Requirements
 - Minimum Equity Standard
 - Equity Bid Adjustment
 - Equity Tiebreaker
- Next Steps

HOUSEKEEPING ITEMS


During Presentation

To submit questions to the panelists, please click on the “Chat” icon on the bottom of your screen; the chat panel will appear on the right; type in your question and click “Enter”

 Topics and discussion items identified by the IPA and Procurement Administrator are flagged with this symbol throughout the presentation

 Informational slides will be marked with the info icon in the top right corner

 Feedback slides, when discussion is opened up, are marked with the conversation icon in the top right corner

 Today’s presentation will be posted to www.ipa-energyrfp.com



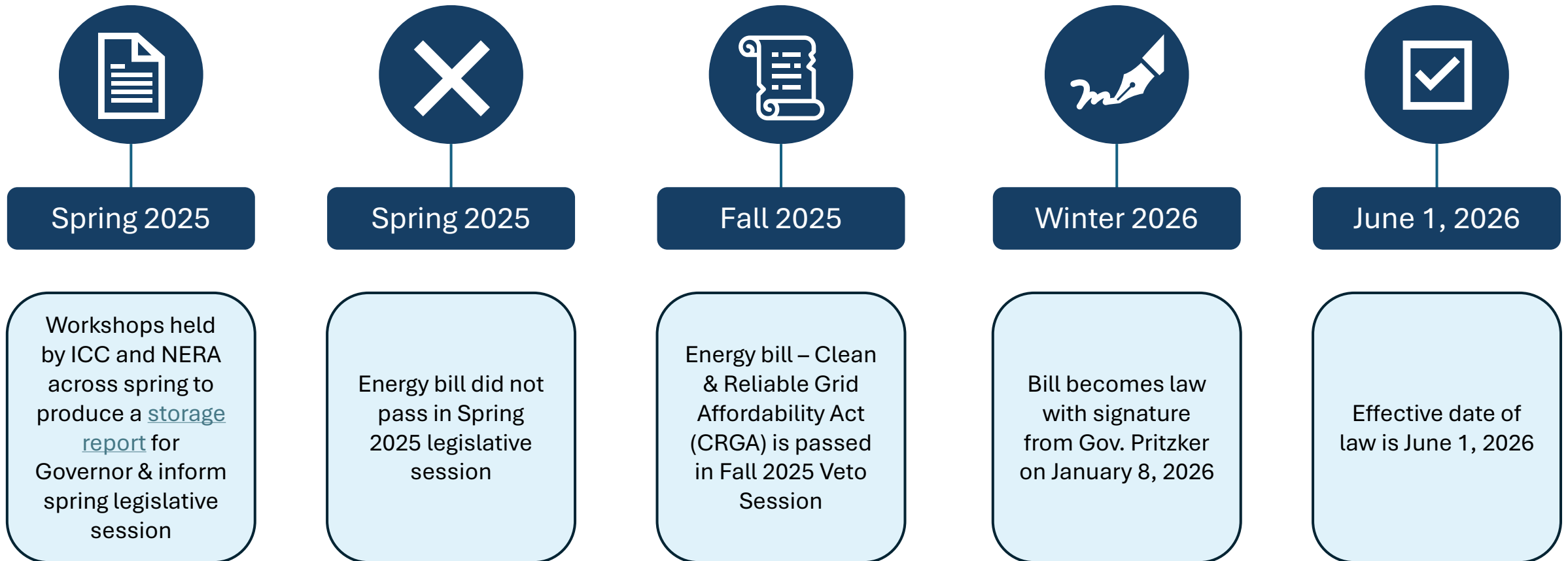
Disclaimers

- The purpose of this workshop is to discuss and solicit feedback on procurement elements for consideration of the initial energy storage procurement pursuant to the new Section 1-75(d-20) of the Illinois Power Agency Act which takes effect on June 1, 2026.
 - **We will only discuss requirements or considerations for the Initial Procurement today.**
- The presentation slides for this workshop will be posted to the procurement website after the workshop has concluded.
- This workshop will be recorded for internal purposes only. The recording for the presentation portion will not be posted after the workshop, to encourage active feedback and conversation.
- This presentation is intended for informational and discussion purposes only and does not represent the final elements of the Energy Storage RFP.
- The formal procurement process will begin on June 1, 2026. Final decisions on the procurement design, rules, and contract will be expressed in documents posted to the official procurement website.
- Please see the procurement website for the latest information <https://www.ipa-energyrfp.com/energy-storage/>

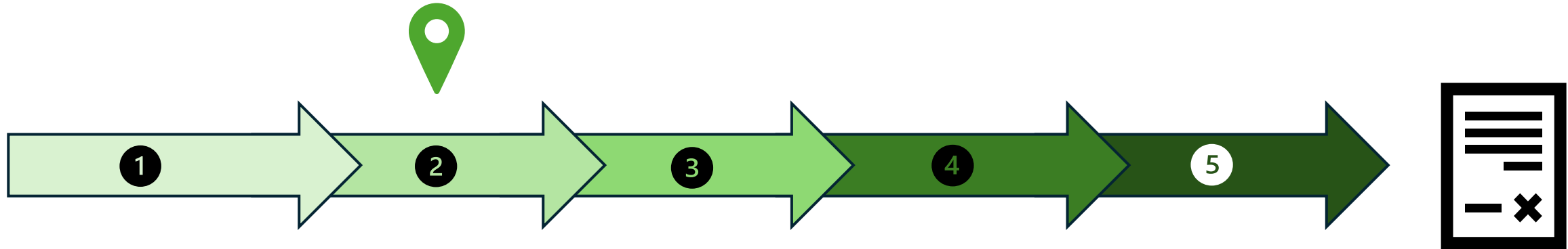
BACKGROUND

How we got here & where we are headed

Where Storage Procurement Requirements Come From – Clean & Reliable Grid Affordability Act (CRGA) and 2025 ICC Staff Storage Report



Timeline of Process – Feedback to Procurement



January 2026
CRGA signed
into law.

Spring 2026
March & April

Stakeholder
feedback
sessions to
finalize open
items for draft
contract and
RFP
requirements.

Spring 2026
April & May

Draft contract
and RFP
requirements
released for
feedback.

June 1, 2026
Law becomes
effective.

Procurement
activities may
now begin.

Final round of
feedback on
contract and
RFP
requirements.

August 26, 2026
Procurement Bid
Date.

DISCUSSION TOPICS

LABOR REQUIREMENTS

Discussion of requirements related to Prevailing Wage Act, Project Labor Agreements, and Labor Peace Agreements



Prevailing Wage Act (PWA)

- Per CRGA, storage projects participating in the initial procurement must comply with the Prevailing Wage Act (1-75)(d-20)(8)



- IPA proposes taking the same approach to confirming compliance with the PWA as is currently set in the Indexed REC Procurements:

- Submit copies of Certified Transcripts of Payroll (that are filed with Illinois Dept. of Labor) within 5 days of COD



Certified Transcripts of Payroll (CTPs):

CTPs document that prevailing wage was paid.

Project developers must pay the applicable prevailing wage rate to its employees and timely submit Certified Transcripts of Payroll (CTPs) to the IDOL Certified Transcript of Payroll Portal on a throughout construction activities.



PWA - Feedback on Proposed Implementation

- Do stakeholders have questions on how to submit copies of Certified Transcripts of Payroll (CTPs) to the IPA & submission timing?
- Do stakeholders have any questions on the proposed process overall?
- Do stakeholders foresee any challenges with this proposed process?
- Do stakeholders have questions related to the Prevailing Wage Act and how to comply?



Project Labor Agreement (PLA)

- Per CRGA, Project Labor Agreements are required for storage projects participating in the initial procurement (1-75)(d-20)(8)
- Illinois Project Labor Agreement Act specifies that 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.



PLA - Proposed Implementation

- ➡ • IPA proposes taking the same approach to confirming compliance with this requirement as is set in the Indexed REC Procurements
- 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
- Submitted PLA must be executed and contain minimum components as required by law



PLA – Feedback on Proposed Implementation

- Do stakeholders have any questions on the proposed process?
- Do stakeholders foresee any challenges with this proposed process?
- Do stakeholders foresee issues with the proposed timing of submission as proposed?
- Do stakeholders have questions related to the Project Labor Agreement Act and how to comply?



Labor Peace Agreement (LPA)

- Per CRGA: “...*The existence of a labor peace agreement shall be an **ongoing material condition** of an entity’s authorization to maintain and operate the energy storage facility.*” (1-75)(d-20)(9)



- IPA proposes adopting the definition from the Illinois Cannabis Regulation and Tax Act (410 ILCS 705):
 - "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.



Minimum Requirements for an LPA

(Based on proposed definition)



- List of minimum required items for an applicable **Labor Peace Agreement**:
 1. Name of storage facility owner/operator
 2. The labor organization that represents the employees
 3. Employees covered under agreement
 4. Term length of the agreement
 5. Language that includes:
 - a) Prohibition for labor organizations and members from engaging in picketing, work stoppages, boycotts, and any other economic interference with the entity operating an energy storage facility
 - b) Agreement from the entity operating an energy storage facility will not disrupt efforts by the bona fide labor organization to communicate with, and attempt to organize and represent, the energy storage facility's employees.
 - c) Agreement from the entity operating an energy storage facility 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.
 6. The agreement should not include:
 - a) This type of agreement shall not mandate a particular method of election or certification of the bona fide labor organization.
 7. Signatures of both owner/operator and labor organization representing the employees of the facility



LPA – Proposed Implementation

- ➡ • **Documentation Submission & Timing:**
 - Attestation to awareness of requirement at Part 1
 - Executed LPA submitted at COD
- ➡ • **Ensuring Compliance throughout the ISC Contract term:**
 - Reconfirm LPA compliance annually, regardless of LPA term length
- ➡ • **Assignment of contract if project is sold:**
 - New executed LPA required for any assignment of a contract to proceed
- ➡ • **Expiration of LPA during ISC Contract term:**
 - If LPA expires or owner/operator falls out of compliance with the requirement over the 20-year term of the contract, they will have 60 days to get back into compliance (i.e. send in an updated executed LPA) before an Event of Default is determined

LPA - Proposed Consequences for Noncompliance



- Must have a Labor Peace Agreement submitted in order to achieve COD
 - Invoicing cannot commence until this requirement is satisfied
 - If LPA is never provided for purposes of COD, this would constitute an Event of Default
- Noncompliance with Labor Peace Agreement requirement would constitute an Event of Default
 - IPA proposed 60 days to get back into compliance with requirement before an Event of Default is finalized



LPA – Feedback on Proposed Implementation


- **Definition** – Does this definition seem suitable and comprehensive?
- **Timing** of attestation and documentation submission in process – Does timing make sense with when project developers would have documentation available?
- **Actual Documentation Submitted** – Any issues stakeholders can foresee with submitting the actual agreement?
- **Annual Confirmation** of compliance – Does this cadence of an annual compliance check make sense?
- **Non-compliance** – Is 60 days enough time to get back into compliance when an LPA expires before an Event of Default is determined? If not, how long might it take after an agreement of this sort expires to execute a new agreement?

EQUITY REQUIREMENTS

Discussion of requirements related to the Minimum Equity Standard & the proposed Equity Tiebreaker Mechanism



Minimum Equity Standard (MES)

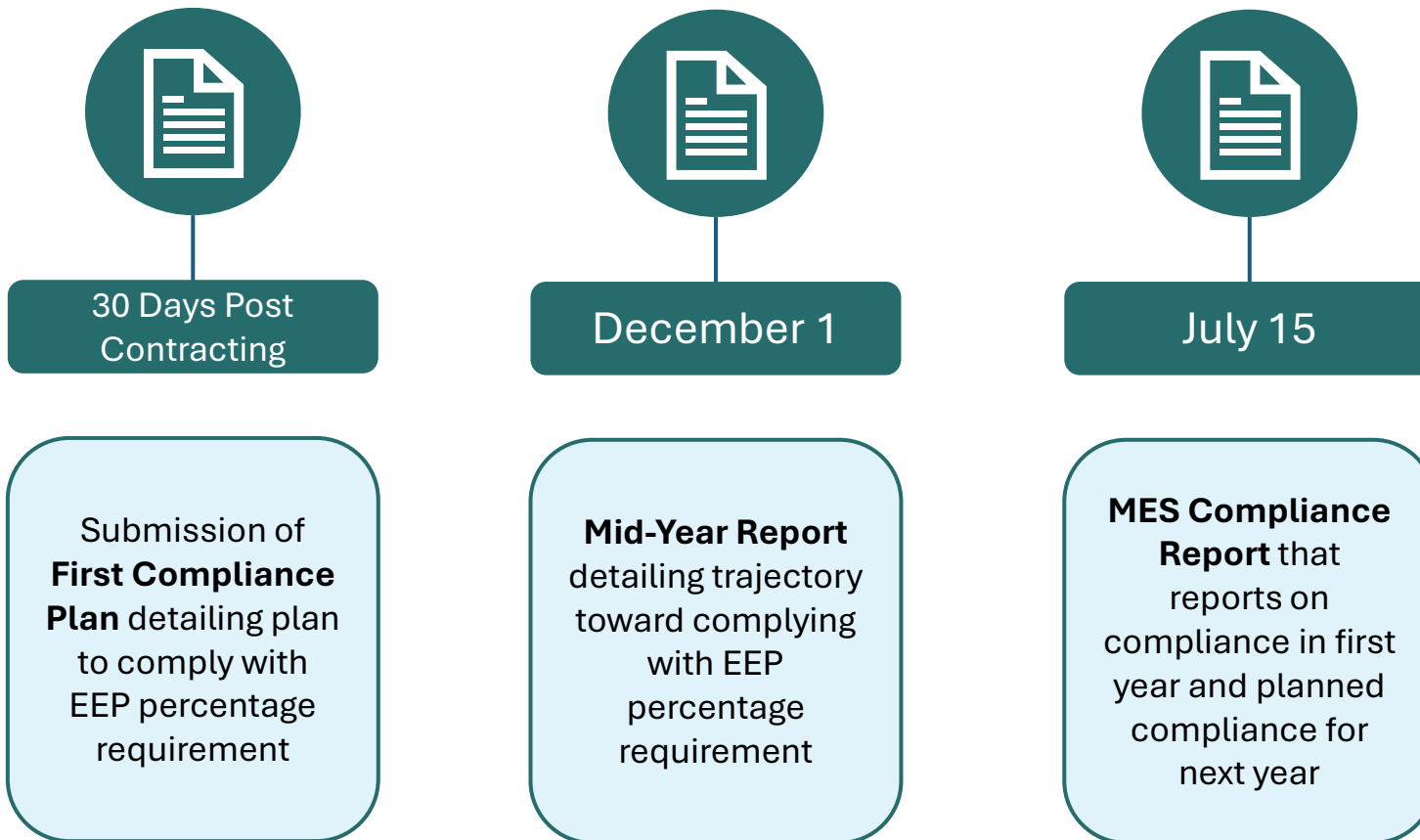
- Per CRGA, MES compliance is required for storage projects participating in the initial procurement (1-75)(d-20)(7)
- **Minimum Equity Standard** is the minimum percentage of project workforce for participating projects that consists of **equity eligible persons**
-  IPA proposes **starting the MES percentage at 10%** for storage projects participating in the initial procurement as this market sector is new in Illinois
 - New sectors were started at 10% previously
 - Ensuring that requirement is set appropriately to balance equity goals and successful project energization by 12/31/2029



Equity Eligible Person:

1. Graduates or current or former participants in qualifying training programs
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 investment eligible community

How To Meet MES and Consequences of Noncompliance



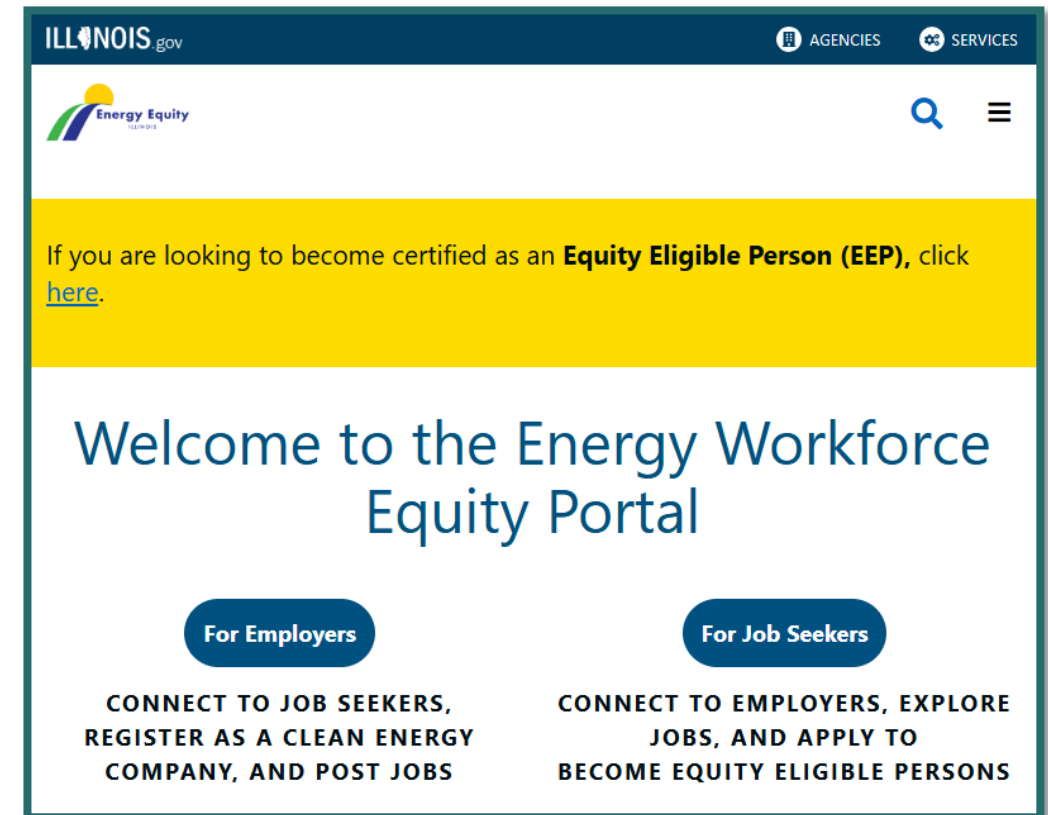
- If MES is not met, meaning less than 10% of EEPs are reported for a project workforce, **Bidder may be suspended from participation in the next procurement**
- MES Waivers will be available to projects participating in the initial procurement, but keep in mind waivers have very specific requirements
 - Waivers are only granted in rare circumstances and developers must prove that specific actions were taken in order to meet the MES in order to be granted a waiver
 - [Current Indexed REC Procurement waiver request for reference](#)

** This process repeats annually to ensure compliance for each Delivery Year*



MES Compliance Using the Equity Portal

- Energy Workforce Equity Portal:
<https://energyequity.illinois.gov/>
 - Equity Portal helps connect clean energy companies with **Equity Eligible Persons** looking to work in the clean energy sector
 - Developers can use this portal to **advertise clean energy jobs** and to **search for Equity Eligible Persons** seeking employment, and apply to qualify as an Equity Eligible Contractor
 - Training for participants to get acquainted with the portal is available here: <https://www.youtube.com/watch?v=RWmu0mCs8N0>





MES – Feedback on Proposed Implementation

- Do stakeholders have questions regarding how to comply with the MES?
- Do stakeholders have any questions on the proposed process?
- Do stakeholders foresee any challenges with this proposed process?



Equity Bid Adjustment

- In IPA’s indexed REC procurement events, if a project is a utility-scale solar project or a utility-scale wind project and the project site is located within an eligible area for Energy Transition Community Grants, the project qualifies for a downward strike price adjustment of 10% of the lowest strike price received for use in ranking bids, thus making those bids more competitive in the selection process.
- 2025 Staff report **recommended against utilizing this bid adjustment mechanism for the initial procurement:**
 - “...it is recommended not to include this bid adjustment for the initial procurement specifically, but instead to consider whether a project is proposed to be located within Enterprise Zones or an eligible area for Energy Transition Community Grants as a tiebreaker during the evaluation and selection procedure, to be further refined in the RFP rules development.”

Equity Tie Breaker – Enterprise Zones and Energy Transition Community Grant Areas (ETCGAs)



- Staff Report proposes for IPA to utilize the ETCGA tie breaker mechanism, meaning if two bids are submitted using the same strike price, the tie breaker mechanism will favor the project located in an ETCGA or an Enterprise Zone
- **ETCGAs** are established by Illinois Dept. of Commerce and Economic Opportunity, and most recent list is found here: [List of ETCGAs from IPA's Fall 2025 IREC Procurement*](#)
- **Enterprise Zones** are established by Illinois Dept. of Commerce and Economic Opportunity and found here: [List of Enterprise Zones](#)

**The applicable list for the storage procurement will be updated and released prior to the procurement with the RFP Requirements, but changes to the list are somewhat rare.*



Feedback on Equity Tiebreaker Mechanism

- Any issues that developers can foresee in utilizing this tiebreaker mechanism?
- Any questions regarding the tiebreaker mechanism and how it will work?

Any Other Topics for Feedback?

- Open floor for discussion items that were not already addressed today



Next Steps

- Send in written feedback here by April 10:
<https://forms.office.com/r/wteAyrWUvU>
- Next immediate steps in calendar:



<input checked="" type="checkbox"/>	Stakeholder Workshop #1	Tuesday, March 17, 2026
<input checked="" type="checkbox"/>	Stakeholder Workshop #2	Wednesday, April 8, 2026
	Draft ISC Contract and Preliminary Proposal Requirements posted; Comment Process begins (Round 1)	Wednesday, April 22, 2026
	Stakeholder Workshop #3	Tuesday, April 28, 2026
	Comments on Draft ISC Contract and Preliminary Proposal Requirements are due	Wednesday, May 13, 2026
	Final Draft ISC Contract and Preliminary Proposal Requirements posted; Comment Process begins (Round 2)	Monday, June 1, 2026

- Full calendar here: [Summer 2026 Storage RFP Calendar](#)

Thank you!

Contact us with questions or further feedback here:

Illinois-RFP@nera.com