

Workforce and Environmental Justice Policy for Energy Procurement

UPDATE: Dec. 7, 2022

PROPOSED RESOLUTION

Community Choice Aggregation (CCA) Governing Board to adopt a resolution that directs staff to develop and implement a Workforce and Environmental Justice Policy for CCA Energy Procurement which includes the following:

1. Competitive, clean and renewable power supply

CCA shall supply clean and renewable power and services¹ (new local, distributed, and Renewable Portfolio Standard (RPS) qualifying resources) to customers at competitive rates.

CCA shall include criteria in the bid evaluation process to prioritize projects that advance local resilience.

CCA shall prioritize Category 1 bundled RECs for all projects to meet its renewable energy goals. CCA shall avoid projects involving Category 2 and 3 RECs. If a CCA plans to use Category 2 or 3 RECs, the CCA shall produce a report on why alternatives were not feasible.

2. Workforce

Whether or not a construction project is a public work as defined by the California Labor Code, contracting partners shall comply with California prevailing wage provisions applicable to public works projects, including but not limited to the Labor Code sections pertaining to employment of apprentices on public works projects.

All construction work that falls within an apprenticeable occupation in the building and construction trades shall be performed by a skilled and trained workforce in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

¹ Clean and renewable means new local, distributed, and RPS qualifying resources only. Biomass technologies that incinerate municipal solid waste or combust woody or agricultural biomass in urban areas are excluded.

A preference for a Project Labor Agreement (PLA) will be incorporated into the bidder evaluation ranking process:

- i. Work done under a PLA shall be deemed to meet the requirements of payment of prevailing wage and use of apprentices, and shall supersede the skilled and trained workforce requirement
- ii. For projects that do not implement a PLA, an audit will be required to ensure compliance with payment of prevailing wages, compliance with skilled and trained workforce requirements and to demonstrate any employment of apprentices

CCA shall state a preference in the request for proposals for the use of local labor with a deliberate emphasis on targeted hiring of women, minorities, gender non-conforming, residents of low income communities, the formerly incarcerated, and veterans.

CCA shall first give a preference to projects that are located in a county or city that receives electric service from CCA , then to projects that are located within California, and then to projects whose first point of connection is within California.

CCA-owned projects shall be constructed through a multi-trade project labor agreement or through multiple such agreements, consistent with the Public Contract Code provisions authorizing such agreements by public agencies.

3. Environmental

All projects must meet the permitting requirements of the appropriate governing authority/authorities

CCA shall state a preference in the request for proposals for projects that avoid sensitive habitat areas and that comply with conservation plans such as the Desert Renewable Energy Conservation Plan.

CCA shall require in the request for proposals that developers of construction projects address how the project will avoid or mitigate, to the extent feasible, potential environmental and environmental justice impacts of the project.

The request for proposal shall request Global Electronics Council's Electronic Product Environmental Assessment Tool (EPEAT) ecolabel registration status and level for

inverters, modules, and other applicable equipment².

4. *Environmental Justice*

CCA shall identify disadvantaged community stakeholders (DAC) from the vicinity of projects using a variety of tools such as CalEnviroScreen and the State Department of Housing and Community Development's opportunity maps. CCA shall make information easily accessible to disadvantaged stakeholders using various outreach methods including workshops, virtual webinars, and presentations at existing community meetings or events.

CCA shall meaningfully engage³ with "disadvantaged community" stakeholders residing within the CCA service area or proposed project area and incorporate input in the decision-making process

CCA shall state a preference in the request for proposals that developers of construction projects identify, in collaboration with community stakeholders, project benefits and negative effects to communities in the project vicinity, with an emphasis on evaluating disproportionate impacts on disadvantaged communities.

CCA shall require in the request for proposals that project developers include details of policies, programs, and practices supporting diversity, equity, and inclusion in their workforce recruitment and retention. Developer performance shall be included in bidder evaluation criteria.

Developers of construction projects shall state opposition to using forced labor in the supply chain.

5. *Project evaluation and selection*

CCA shall evaluate and select energy projects with a structured, multi-criteria evaluation process which utilizes the policy principles discussed herein. This evaluation process should holistically consider workforce, environmental justice, and community benefits balanced with technical and financial considerations.

² <https://globalelectronicscouncil.org/>

³ Meaningful engagement means implementing five recommendations for best practices from Building a Just Energy Future - A framework for community choice aggregators to power equity and democracy in California, 2020 report by the California Environmental Justice Alliance

CCA shall publicly publish detailed project evaluation and selection documentation during project approval.

6. CA Community Power (CC Power)

CCA's representative to the CA Community Power Board shall advocate for adoption of a CA Community Power Workforce and Environmental Justice Policy for Energy Procurement consistent with the terms of this resolution.

CCA's representatives to the CA Community Power Board shall advocate to form a public advisory committee, including labor, environmental and equity representatives, to ensure transparency and public engagement in CA Community Power's operations and procurement practices.