
Re: DEAI and Sustainable Workforce Standards Request PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

1 message

Bart Pantoja San Mateo County BCTC <bart@sanmateobctc.org> Thu, Mar 30, 2023 at 4:12 PM
To: "dpine@smcgov.org" <dpine@smcgov.org>, "rmueller@smcgov.org" <rmueller@smcgov.org>, "jmates@belmont.gov" <jmates@belmont.gov>, "cmackin@ci.brisbane.ca.us" <cmackin@ci.brisbane.ca.us>, "dcolson@burlingame.org" <dcolson@burlingame.org>, "kgonzalez@colma.ca.gov" <kgonzalez@colma.ca.gov>, "councilmemberRod@gmail.com" <councilmemberRod@gmail.com>, "cromero@cityofepa.org" <cromero@cityofepa.org>, "shindi@fostercity.org" <shindi@fostercity.org>, "hrrarback@hmbcity.com" <hrrarback@hmbcity.com>, "Iragdale@hillsborough.net" <Iragdale@hillsborough.net>, "paul.llanez@losbanos.org" <paul.llanez@losbanos.org>, "BNash@menlopark.org" <BNash@menlopark.org>, "afung@ci.millbrae.ca.us" <afung@ci.millbrae.ca.us>, "bigtyckt@ci.pacifica.ca.us" <bigtyckt@ci.pacifica.ca.us>, "jaalfs@portolavalley.net" <jaalfs@portolavalley.net>, "emartinezsaballos@redwoodcity.org" <emartinezsaballos@redwoodcity.org>, "mmedina@sanbruno.ca.gov" <mmedina@sanbruno.ca.gov>, "JDugan@cityofsancarlos.org" <JDugan@cityofsancarlos.org>, "alee@cityofsanmateo.org" <alee@cityofsanmateo.org>, "jamecoleman@fnet" <jamecoleman@fnet>, "jwall@woodidetown.org" <jwall@woodidetown.org>, Rick DeGolia <rdegolia@ci.atherton.ca.us>
Cc: Jan Pepper <jpepper@peninsulacleanenergy.com>, Shawn Marshall <smarshall@peninsulacleanenergy.com>, Shayna Barnes <sbarnes@peninsulacleanenergy.com>, "nwogberg@peninsulacleanenergy.com" <nwogberg@peninsulacleanenergy.com>

Rick,

Thank you for the response. It was our intent to make sure all were aware of our position.

Regards,

Bart Pantoja**Financial Secretary Treasurer****The Building & Construction Trades Council of San Mateo County****1153 Chester Drive, Foster City CA 94404****(650) 358 9977**

On Mar 23, 2023 at 10:34 AM 0700, Rick DeGolia <rdegolia@ci.atherton.ca.us>, wrote

Bart, thank you for your below email. This Proposed Workforce and Environmental Justice position paper was presented to PCE as part of the comments that we received in connection with the Executive Committee agenda and discussion of staff proposed modifications to Policy 10. It isn't specifically clear why this is being forwarded now to the Board at this time, but this is on our next Executive Committee agenda in connection with our consideration of the proposed changes to Policy 10. This isn't included on the Board agenda for Thursday's meeting.

Warm regards, Rick

Rick DeGolia

Board Chair, Peninsula Clean Energy

Atherton City Council

Atherton, CA 94027

650.793.2800 (m)

From: BMST San Mateo County BCTC <bart@sanmateobctc.org>

Date: Wednesday, March 22, 2023 at 9 36 PM

To: Rick DeGolia <rdegolia@ci.atherton.ca.us>, "dpine@smcgov.org" <dpine@smcgov.org>, "rmueller@smcgov.org" rmueller@smcgov.org , "jmates@belmont.gov" <jmates@belmont.gov>, "cmackin@ci.brisbane.ca.us" <cmackin@ci.brisbane.ca.us>, "dcolson@burlingame.org" dcolson@burlingame.org , "kgonzalez@colma.ca.gov" <kgonzalez@colma.ca.gov>, "shindi@fostercity.org" <shindi@fostercity.org>, "hrarback@hmbcity.com" hrarback@hmbcity.com , "iragsdale@hillsborough.net" iragsdale@hillsborough.net , "paul.llanez@losbanos.org" <paul.llanez@losbanos.org>, "BNash@menlopark.org" BNash@menlopark.org , "afung@ci.millbrae.ca.us" afung@ci.millbrae.ca.us , "bigstyckt@ci.pacifica.ca.us" <bigstyckt@ci.pacifica.ca.us>, "jaalfs@portolavalley.net" jaalfs@portolavalley.net , "emartinezsaballos@redwoodcity.org" emartinezsaballos@redwoodcity.org>, "mmedina@sanbruno.ca.gov" <mmedina@sanbruno.ca.gov>, "JDugan@cityofsancarlos.org" JDugan@cityofsancarlos.org , "alee@cityofsanmateo.org" <alee@cityofsanmateo.org>, "james.coleman@ssf.net" <james.coleman@ssf.net>, "j.wall@woodsidesetown.org" j.wall@woodsidesetown.org , "nwogberg@peninsulacleanenergy.com" <nwogberg@peninsulacleanenergy.com>

Subject: DEAL and Sustainable Workforce Standards Request PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

[The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.]

Board Members and Board Clerk,

The San Mateo County BCTC is presenting this letter and proposed policy attached on behalf of the CCA Workforce & Environmental Justice Standards Alliance. Please review and consider our request. Thank you in advance for your attention to this comment for items not on the agenda.

Regards,

Bart Pantoja

Financial Secretary-Treasurer

The Building & Construction Trades Council of San Mateo County

1153 Chess Drive, Foster City CA 94404

(650) 358-9977

<image001.png>



March 22, 2023

Rick DeGolia, Chair
 Board of Directors
 Peninsula Clean Energy
 2075 Woodside Rd.
 Redwood City, CA 94061

Honorable Chair DeGolia,

The CCA Workforce & Environmental Justice Standards Alliance is a group of more than 35 allied labor, climate, environmental, and environmental justice organizations advocating for California's Community Choice agencies, including California Community Power (CC Power), to adopt and implement best practice workforce and environmental justice standards for CCA-contracted or owned clean energy projects.

We applaud Peninsula Clean Energy's leadership developing and institutionalizing diversity, equity, access and inclusion (DEAI) into your Strategic Plan, and Ethical Procurement and Sustainable Workforce policies. We recognize PCE's current workforce and environmental justice practices and policy as a leading example among CCAs.

The CCA Workforce & EJ Standards Alliance has collaboratively developed a comprehensive Policy Resolution (attached) which reflects utility industry standard and best practice. We have conducted a full comparison of our policy resolution against PCE's practice and proposed policy and found alignment with most of your practices and many of your policies. However, we have identified a number of critical DEAI and Sustainable Workforce related policy and practice gaps in the following areas: targeted hire, CCA-owned projects, community benefits, meaningful community engagement, evaluation and selection, and local resilience.

Staff is preparing to present updated DEAI and Sustainable Workforce policy language to the Executive Committee on April 10 and the full board on April 27. **We request your support for our Alliance leadership to work with your staff to understand the identified gaps and improve proposed policy language where appropriate before it is presented to the Executive Committee in April.**

As we continue to work with other CCAs across the state to adopt industry standard workforce and environmental justice policies for clean energy projects, we want PCE to maintain its position as the model CCA we point to for its leadership supporting workers and the diverse communities that host its clean energy projects. We look forward to the opportunity to work with you and your staff to strengthen your proposed DEAI and sustainable workforce policies in alignment with your agency's espoused DEAI, workforce, and environmental values.

Sincerely,

Alphabetical endorsement list of alliance organizations follows:

Susan Penner, Co-Chair, Legislative Working Group, 1000 Grandmothers for Future Generations

Alan Weiner, Coordinator, 350 Conejo / San Fernando Valley

Al Weinrub, Coordinator, California Alliance for Community Energy

Ana Rosa Rizo-Centino, Network Manager, Central Coals Climate Justice Network

Lynda Marin, Chapter Lead, Citizens' Climate Lobby, Santa Cruz Chapter

Michael Chiacos, Policy Director, Community Environmental Council

Ratha Lai, CEO, Critical Impact Consulting

Rita Casaverde, Executive Director, Diversity Coalition, San Luis Obispo County

John Foran, Founding Editor, Eco-Vista

Leah Redwood, Action Coordinator, Extinction Rebellion San Francisco Bay Area

Tim Frank, Representative, Building and Construction Trades Council of Alameda

Bart Pantoja, Building and Construction Trades Council of San Mateo County

Paul Guterrez, Business Manager, IBEW Local 234

Chuck Huddleston, Business Manager, IBEW Local 413

Greg Bonato, Business Manager, IBEW Local 595

John Doherty, Business Manager, IBEW Local 6

Mark Simonin, Business Manager, IBEW Local 639

David Mauro, Business Manager, IBEW Local 617

Hector Huezo, California Director, Jobs to Move America

Veronica Wilson, CA Organizer, Labor Network for Sustainability

Benjamin Eichert, Director, Let's Green CA!

Jessica Tovar, Steering Committee Member, Local Clean Energy Alliance

Gopal Shanker, President, Récolte Energy

Nancy Faulstich, Executive Director, Regeneración Pajaro Valley

Sara Nelson, Executive Director, Romero Institute

Alex Lansberg, Director, Research & Advocacy, San Francisco Electrical Contractors Association

Jill ZamEk, Board Member, San Luis Obispo Mothers for Peace

Joni Eisen, Representative, San Francisco Climate Emergency Coalition

Ken Hough, Executive Director, Santa Barbara County Action Network

Pauline Seales, Educator Organizer, Santa Cruz Climate Action Network

Eric Veium, Chair, SLO Climate Coalition

Melissa Yu, Senior Energy Campaigns Representative, Sierra Club

Timothy Duda, Directory, Terra Advocati

Kristin Kusanovich, Founder, tUrn Climate Crisis Awareness & Action

Bijan Ashtiani-Eisemann, Organizer, UC Green New Deal Coalition

Attachment: CCA Workforce and Environmental Justice Standards Alliance Policy Resolution

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.