



MARCH 1, 2023

Supplier Diversity 2022 Annual Report & 2023 Annual Plan

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Message from EBCE CEO Nick Chaset

During the past year, we saw a return to everyday life in school, work, and personal settings. COVID-19 is still very much a reality, but the world and the local community in Alameda County and City of Tracy, has adapted to this new environment. In 2022, East Bay Community Energy (EBCE) continued to grow our equitable portfolio of customer energy programs, bring key renewable energy projects online, and partner with local community-based organizations through grant programs.

In 2022, EBCE made significant progress on many fronts as an organization. Utilizing BlocPower's platform, along with \$1m in low-cost debt and \$400k in grants from our Local Development program, EBCE launched an electrification program to install affordable, clean systems and appliances for low-income customers, the first-of-its-kind partnership with any community choice aggregator. We also began soliciting proposals for our E-Bike Adoption Program and Commercial Energy Efficiency Program. EBCE inaugurated new energy projects including the 100 MW Tecolote wind project in New Mexico as well the 10 MW / 40 MWh Henrietta D project based in Lemoore, EBCE's first battery storage project. Additionally, we invested revenues to provide community sponsorships and solicit assistance to help customers avoid utility debt and disconnections. The EBCE team was also elated to provide a \$50 bill credit to all customers on income-qualifying accounts; this translated to \$6.23m in immediate savings for 124,600 homes. These highlights are just a sample of EBCE's work, resulting in the creation of hundreds of family-sustaining jobs, notable increases in community participation, and over \$10m in customer bill savings.

A core feature of EBCE as a public agency is the ability and pleasure to serve our community rather than shareholders. Therefore, we can reinvest excess revenue into the community through bill savings, customer programs, and clean power projects. EBCE also invests dollars directly in the community through local grants, sponsorships, and local procurement efforts, purchasing goods and services from small and local businesses to the greatest extent possible. We are excited to highlight the outcomes of these efforts in this year's report and are pleased to submit East Bay Community Energy's third annual Supplier Diversity Report to the California Public Utilities Commission.

NICK CHASET

CEO, East Bay Community Energy



Executive Summary

East Bay Community Energy (“EBCE”) hereby submits its third Supplier Diversity Annual Report in accordance with the requirements of SB 255 (2019, Bradford).

EBCE is a Joint Powers Authority (“JPA”) formed on December 1, 2016 pursuant to California Government Code §§ 6500 et. seq. to provide community choice energy to its member jurisdictions: the County of Alameda and each of the following cities incorporated therein: Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Oakland, Piedmont, San Leandro, and Union City. EBCE started serving Alameda County businesses and municipalities in June 2018 and began serving residential customers in November 2018. In 2020, EBCE added the Alameda County cities of Newark and Pleasanton, as well as the city of Tracy in San Joaquin County, to the JPA, and began serving customers in those new jurisdictions in April 2021. In 2022, Stockton was accepted as EBCE’s latest jurisdiction, with service tentatively scheduled for 2024.

As a California local government entity bound by California Prop 209, EBCE is prohibited from considering race, sex, color, ethnicity, or national origin in its contracting. Accordingly, in contrast to California’s electrical corporations, EBCE does not set supplier diversity targets or goals. EBCE has, however, developed programming for outreach and education around General Order 156 (“GO 156”) to ensure that EBCE’s current suppliers and potential future suppliers are aware of the California Public Utilities Commission (“CPUC”)-supervised Supplier Clearinghouse and the opportunities that may come along with certification. EBCE also offers technical assistance to suppliers who are interested in applying to the Supplier Clearinghouse for certification as a Women, Minority, Service-Disabled Veteran, LGBT, and/or Persons with Disabilities-owned business enterprise (Diverse businesses, previously referred to as “WMDVLGBTBE”).

EBCE’s contracting process is not influenced by the Supplier Clearinghouse certification status of its potential suppliers. EBCE does not collect data from its suppliers on their status as a diverse business or certified vendor until after the contract with EBCE is executed. To provide the state with data on EBCE’s annual spend with diverse suppliers, EBCE asks its suppliers to provide information on their diverse status after contract execution through our Supplier Diversity questionnaire.

Educating suppliers about the Supplier Clearinghouse and providing technical support should increase certification levels of diverse firms over time. Certification brings those vendors greater promotion and visibility to the non-government utility companies that do utilize the Clearinghouse database in their search for suppliers. Furthermore, if certified vendors gain additional contracts with the utility companies, they broaden their value as potential suppliers to entities such as EBCE based on their additional experience and expertise. In other words, encouraging greater participation in the Supplier Clearinghouse can strengthen and broaden the pool of experienced diverse suppliers available in the marketplace in the future.

In accordance with California law, EBCE does not exhibit preference for woman-owned (“WBE”), minority-owned (“MBE”), or LGBT-owned (“LGBTBE”) suppliers in its solicitations or procurement selections. However, EBCE does employ four procurement preferences, incorporated into EBCE’s Administrative Procurement Policy. In 2021 EBCE added a preference for Disabled Veteran-owned businesses (“DVBE”), as well as a preference for businesses located in a Disadvantaged Community (“DAC”) as identified by the California Environmental Protection Agency’s (“CalEPA”) CalEnviroScreen Tool. These two preferences join the existing preferences for Union labor and local suppliers located in the Alameda County and City of Tracy service territory. EBCE’s commitment to local investments is laid out in its Local Development Business Plan¹ (“LDBP”). The LDBP is intended to develop a comprehensive framework for accelerating the development of clean energy assets within Alameda County. The LDBP explores how EBCE can contribute to fostering local economic benefits, such as job creation, customer cost-savings, and community resilience. The LDBP also identifies opportunities for development of local clean energy resources, explains how to achieve EBCE’s community benefits goals, and provides strategies for local workforce development for adoption by the EBCE Board of Directors.

¹ www.ebce.org/local-development-business-plan

2022 Annual Report



9.1.1 Description of Supplier Diversity Program Activities During the Previous Calendar Year

EBCE recognizes our responsibility and opportunity as a local public agency, investing millions of dollars into our community and our state every year. As such, we hold a strong commitment to investing directly in our service territory to the greatest degree possible. This takes the form of maximizing our direct purchasing from companies and organizations with their home in Alameda County and/or the City of Tracy. It also takes the form of deploying clean energy assets and customer programs that create local jobs and provide economic benefit and community resilience to our customers.

In 2022, EBCE had a Net Procurement of \$8,544,877², spent on professional services, administrative spend, and community grants and sponsorships. As acknowledged in the CPUC Proposed Decision released on February 9, 2021³, EBCE — and all CCAs for that matter — face different total purchasing needs, along with restrictions on supplier selection criteria relative to the investor-owned utilities. As such, our Net Procurement amount is limited in size and scope compared to the Net Procurements of the investor-owned utilities, and our diverse supplier spend is only a small portion of our annual Net Procurement, as is further detailed in Section 9.1.2 and Section 9.1.9. To promote and grow the statewide Supplier Diversity program we continue to approach and grow our Supplier Diversity activities in an innovative way that drives the program forward, while staying within the legal bounds that constrain CCAs from setting targets and expressing preference for diverse suppliers. Below are the activities undertaken in 2022 to that end.

INTERNAL ACTIVITIES

Board of Directors Engagement

- In April 2022, staff provided an informational report to the EBCE Board of Directors on GO 156, SB 255, and EBCE's second annual Supplier Diversity report.⁴
- In December 2021 the Board approved a resolution adopting an update to EBCE's Administrative Procurement Policy to include procurement preferences for DVBES and businesses located in DACs.⁵ DVBES and/or businesses located in DACs shall receive a bonus equal to 2.5% in competitive solicitations for each of the relevant classifications.

Staff Engagement

- All of EBCE staff attended an internal training about GO 156 and the Supplier Diversity program, including requirements and resources, and the implications it has EBCE's solicitations.

CCA Collaboration

- EBCE staff engaged in numerous multi-CCA meetings to share program actions and updates and discuss potential collaborations.

² Net Procurement number as defined by the CPUC GO 156 table templates (i.e. includes purchase order, non-purchase order, and credit card dollars) and CPUC guidance not to include staff salaries and benefits. Net Procurement also excludes all power procurement spend, which is reported on in the Power Procurement Annual Report section.

³ [R-21-03-010 Proposed Decision; Proposed changes to General Order 156 under R-21-03-010](#)

⁴ [EBCE Staff Report](#), April 20, 2022.

⁵ [EBCE Staff Report and Resolution](#), December 15, 2021.

- EBCE staff shared with Cal CCA, and the multi-CCA GO 156 working group, Supplier Diversity language regarding current job postings and solicitations to help provide guidance to other CCAs on language to include and possibly standardize language across CCAs.

CPUC Collaboration

- In May 2022, EBCE staff participated in a call with CPUC staff to debrief our 2021 Supplier Diversity Report.
- EBCE staff participated in a quarterly call series with CPUC staff and representatives from other CCAs to discuss GO 156 and SB 255 challenges and opportunities.

Website and Supplier Resources

- EBCE continues to improve on our Supplier Diversity webpage on our website⁶, providing background information on GO 156 and detailing benefits and adding resources for certification, including CPUC’s certification overview and EBCE’s offer for technical assistance.

2023 Planning

- Through the third year of EBCE’s Supplier Diversity program, staff has continued to refine ideas and offerings, as well as generate a number of new ideas for additional components that EBCE can add or develop to further increase vendors’ awareness of the CPUC program.
- Staff has also continued to improve internal processes and data capture to make reporting even more thorough and robust.

EXTERNAL ACTIVITIES

CPUC 20th Annual Supplier Diversity En Banc

- EBCE staff attended the annual En Banc in October 2022 to understand challenges, opportunities, and share information and resources.

CPUC’s Doing Business with Community Choice Aggregators

- EBCE promoted the CPUC event to chambers of commerce and business organizations to promote the event held in November 2022.
- EBCE staff also attended the event to understand small and diverse business’ concerns and service offerings.

NorCal Elite’s 5th Annual Conference for Disabled Veterans Small Business Outreach

- EBCE, along with MCE and PCE, were invited to speak on “Doing Business with CCAs”⁷ at the NorCal Elite’s Annual Conference in October 2022. Staff presented on the GO 156 program and how to get certified with the Supplier Clearinghouse, as well as processes and resources for businesses to stay up to date with various solicitation postings across the CCA community.

Chamber Memberships

- EBCE continued membership with the chambers of commerce for all JPA member cities⁸. We also continued membership with ethnic chambers of commerce including Black Business Roundtable of Hayward’s Chamber of Commerce, Latino Business Roundtable of Hayward’s Chamber of Commerce, Oakland African American Chamber of Commerce, Oakland Chinatown Chamber of Commerce, and Oakland Latino Chamber of Commerce.

⁶ [EBCE Supplier Diversity webpage](#)

⁷ [Nor-Cal Elite Disabled Veterans Event CCA Nation Amt](#)

⁸ Except for the City of Emeryville, which does not have a Chamber of Commerce.

- To expand upon these types of partnerships, EBCE reached out to two additional local diverse and/or ethnic chambers of commerce and business networks in 2022. We achieved engagement and became members of The Elite SDVOB Network.
- EBCE staff has been given the opportunity to send out monthly resources to Oakland African American Chamber of Commerce and Oakland Latino Chamber of Commerce.

Certify & Amplify

- EBCE leveraged outreach to chambers and business organizations to promote MCE’s “Certify & Amplify” event held in June 2022.
- EBCE staff also attended the event.

Solicitations

- EBCE uses standard language in all of our goods, services, and power solicitations pertaining to Supplier Diversity. We provide background on GO 156, state our inability to exhibit preference to diverse suppliers, and share our commitment to supporting the certification process of eligible contractors.
- EBCE has also developed standard slides on GO 156 and certification resources to be used in all solicitation webinars.
- An updated evaluation matrix to standardize the point preferences (i.e., 2.5% for DVBEs and businesses located in DACs) was rolled out this year, 2022. Annual training and reminders implemented to ensure this scoring matrix is used consistently. This follows up on EBCE’s Board of Directors resolution adoption, updating EBCE’s Administrative Procurement Policy, to include procurement preferences for the two relevant bidder classifications.
- As mentioned previously, in Dec 2021, the EBCE Board of Directors approved a resolution adopting an update to EBCE’s Administrative Procurement Policy to include procurement preferences for DVBEs and businesses located in DACs.

Local Purchasing

- EBCE purchases goods and services from small and local businesses to the greatest degree we can. As per EBCE’s Administrative Procurement Policy, procurements of goods, non-professional services, and professional services under \$10,000 in contract value may be made without a formal solicitation; these types of procurements are more likely to be sourced from small and/or local businesses, for which EBCE predominantly utilizes the Alameda County Small, Local, and Emerging Business (“SLEB”) Directory to source potential vendors. For larger procurements, and particularly those for which a formal competitive solicitation is issued, potential suppliers may receive points for their small or local business status, but EBCE does not make decisions solely based off these classifications.

Labor & Workforce Development

- EBCE expresses a strong preference (i.e., 2.5% bonus, as detailed and codified in the Administrative Procurement Policy), and in many cases a contractual requirement, for the use of local and Union labor⁹. As prime contractors source subcontractors within these requirements they are more likely to contract with small and diverse businesses.
- EBCE also has growing partnerships to support local workforce development opportunities for our community members. Some of this work is in direct relation to the deployment of our local clean energy programs, and some is more generally dedicated to advancing clean energy jobs training, workforce development, and career pathways for young people.

⁹ A bonus equal to 2.5% in competitive solicitations is awarded to bidders utilizing Union labor, as detailed and codified in the Administrative Procurement Policy.

Community Sponsorships

- EBCE is dedicated to reinvesting in our communities through a series of ongoing financial sponsorships and grants to local community-based organizations and programs. Community Sponsorships are awarded three times per year. The maximum award amount is \$2,500 per organization per award round, and EBCE funds approximately 12 recipients per round. Community Sponsorships go to all sorts of incredible local organizations in categories spanning from STEM education to arts & music to addressing food insecurity. In 2022, 15 unique organizations received an EBCE Community Sponsorship¹⁰.
- EBCE continued to be an official Climate Justice partner of the Oakland Roots Sports Club (“Oakland Roots”), a professional soccer club on a mission to be a model community partner. This sponsorship involves \$125,000 per year for three years (2022 being EBCE’s second year), supporting the Oakland Roots in their efforts to become climate positive¹¹ and to continue building a diverse and inclusive community of fans from across the East Bay and beyond. In turn, EBCE hosts a booth at all home games to engage fans of all ages in learning more about the agency and EBCE was the halftime sponsor for the club’s first “Climate Night” where Oakland Roots and EBCE staff engaged the sold-out stadium in an opt-up campaign for customers to learn about and choose EBCE’s Renewable 100 electricity product¹².

2022 Community Outreach Grants¹³

- EBCE sought to utilize the expertise and relationships of community-based organizations by offering grants up to \$30,000 to assist in marketing, education, and enrollment of several programs¹⁴ intended for residents. These programs are intended to help low-income customers avoid utility debt and disconnections.
- \$150,000 in grants were given to the following groups: Building Opportunities for Self-Sufficiency, Center for Empowering Refugees and Immigrants, Goodness Village, Oakland Private Industry Council, Spectrum Community Services, and Vietnamese American Community Center of the East Bay.

Power Procurement – 2022 Long-Term Resource Request for Offers¹⁵

- As part of the RFO, EBCE advertised the CPUC’s Supplier Diversity Program including EBCE’s GO 156 reporting requirements and encouraged eligible parties to consider certification.

Supplier Diversity Questionnaire

- We sent all requests from the EBCE Supplier Diversity email address — supplier-diversity@ebce.org — and attached the GO 156 Certification Benefits & FAQs document¹⁶, to help garner vendor attention and participation in both the questionnaire, and the GO 156 program overall.
- Given the unique set of vendors EBCE works with, many do not hold contracts with the investor-owned utilities and were unaware of GO 156. When we distributed our survey, we again received feedback that the socialization of the program and the Supplier Clearinghouse was highly informative to many of our vendors. A number of eligible vendors noted their status and interest in pursuing certification as a result of learning about GO 156 and the Supplier Clearinghouse. We will offer them support in their pursuit of certification.
- In addition to collecting required data for this Annual Report, staff also took the opportunity to gather details and feedback relative to local job creation and workforce development opportunities that stem directly from our contracts. EBCE plans to use this information to further expand local job opportunities and evaluate our potential role in further strengthening the local clean energy business economy.

10 List of Community Sponsorships: www.ebce.org/community-sponsorships

11 [Oakland Roots and EBCE partnership video](#), September 2021.

12 www.ebce.org/our-power-mix

13 www.ebce.org/2022-community-outreach-grants

14 Programs include The Arrearage Management Plan (AMP), California Alternate Rates for Energy (CARE), Family Electric Rate Assistance (FERA), and Medical Baseline (MB)

15 www.ebce.org/ebce-sjce-2022-rfo

16 [GO 156 Certification Benefits & FAQs](#), EBCE PDF

SUPPORT AND TECHNICAL ASSISTANCE TO SMALL AND DIVERSE BUSINESSES

- EBCE is committed to assisting our existing GO 156-eligible prime contractors in pursuing certification and offers technical assistance directly to our vendors, as well as publicly on our website. In 2022 EBCE did not receive any requests for support in the certification application process but did actively extend the offer to the thirteen 2021 vendors who self-identified as ‘eligible but not yet certified’ through last year’s questionnaire. In our outreach to diverse and ethnic chambers of commerce, we also included information on GO 156 certification, along with the offer for technical assistance to any of the organizations’ members.
- EBCE also evaluated avenues to actively support our existing prime contractors in identifying certified subcontractors from the Supplier Clearinghouse where they have the need and interest. Given low interest from vendors, EBCE did not pursue developing a formal platform to enable prime contractors to more easily review and engage with certified subcontractors. We have, however, continued to promote the Supplier Clearinghouse as a robust database to source subcontractor leads, including highlighting this point on our Supplier Diversity webpage and linking to the Supplier Clearinghouse directly.

EBCE’S SUPPLIER DIVERSITY WEBSITE AND CONTACT INFORMATION

For EBCE’s Supplier Diversity webpage, it can be found at, <https://ebce.org/supplier-diversity/index.html>

EBCE’s Supplier Diversity Program Manager, Joseph Sit can be reached at: jsit@ebce.org or 510-904-1032.

9.1.2 Supplier Diversity Results of Goods and Services (non-power purchases) if Procured

EBCE is pleased to report that in our third year we have supported six confirmed GO 156 certified suppliers, for a total Diverse spend of \$621,079, a 59% increase from 2021, and more than double the Diverse spend of 2020. In 2022 EBCE supported at least eight eligible suppliers. The eligible but not yet certified suppliers have identified as Minority-Owned and/or Women-Owned Business Entities. We will work with the other interested suppliers to support their pursuit of certification by the Supplier Clearinghouse. If all eligible suppliers were certified in 2022, EBCE’s total Diverse spend would have increased by \$232,940 for a would-be total of \$854,019.

As detailed in Section 9.1.1, given that CCAs’ supplier selection never considers diverse supplier status for any procurement, our diverse supplier spend is a small portion of our annual Net Procurement. EBCE’s total procurement with certified vendors captures spend with small and local business services within our community and bespoke technical consulting services utilized to support our innovative new clean energy programs, power portfolio management, and regulatory analysis and compliance. All six certified diverse vendors highlighted in this 2022 Annual Report are California-based businesses. All six businesses are located in Bay Area counties — including one in EBCE’s service area.

WOMEN-OWNED BUSINESS ENTITY PROCUREMENT

Of our six certified diverse suppliers, four are certified at least as a Woman-Owned Business Entity (“WBE”), with one certified as both a Minority-Owned and Woman-Owned Business Entity (“WMBE”). In the tables within this Section 9.1.2, the WMBE-certified vendor was counted under the Total Minority-Owned Business Entity (“MBE”) column; this vendor was still counted under the appropriate Minority Female portions of the various tables but was not double counted towards our total diverse spend.

- **Blaisdell’s Business Products** is a Richmond-based office goods vendor that supplies EBCE with various office amenities.
- **California Energy Circuit, Inc.** is a Berkeley-based media outlet that produces an independent technical newsletter on California power markets and policy called ‘California Current’. EBCE subscribes to this newsletter.
- **Clean Energy Regulatory Research, LLC** is a San Francisco-based regulatory consulting firm providing services to the electric and gas utility sector on clean energy programs.
- **Strategic Energy Innovations** (“SEI”) maintains a Climate Corps fellowship program that provides professional development and experiential learning opportunities for emerging climate protection leaders. SEI was contracted to recruit, train, and place a Climate Corps Fellow with EBCE.

MINORITY-OWNED BUSINESS ENTITY PROCUREMENT

Of our six certified diverse suppliers, two are certified at least as a Minority-Owned Business Entity (“MBE”), with one certified as both a Minority-Owned and Woman-Owned Business Entity (“WMBE”). As noted above, the WMBE-certified vendor was counted under the Total Minority-Owned Business Entity (“MBE”) column, and they were not double counted towards our total diverse spend.

- **Clean Energy Regulatory Research, LLC** is a San Francisco-based regulatory consulting firm providing services to the utility sector on clean energy programs.
- **Pacific Printing** produced various mailers and printed collateral for EBCE.

LGBT-OWNED BUSINESS ENTITY PROCUREMENT

Of our six certified diverse suppliers, one is certified as a Lesbian, Gay, Bisexual, or Transgender-Owned Business Entity (“LGBTBE”).

- **The Law Office of Joseph F. Wiedman** is a Cloverdale-based firm providing legal services in the realm of cleantech law, policy, and energy markets.

9.1.2: Supplier Diversity Results of Goods and Services (non-power purchases) by Direct and Subcontractor Spending

	Direct	Sub	Total \$	%	
Minority Male	African American	-	-	-	
	Asian Pacific American	-	-	-	
	Hispanic American	\$548,351	-	\$548,351	6.42%
	Native American	-	-	-	-
	Total Minority Male	\$548,351	-	\$548,351	6.42%
Minority Female	African American	-	-	-	
	Asian Pacific American	\$34,875	-	\$34,875	0.41%
	Hispanic American	-	-	-	-
	Native American	-	-	-	-
	Total Minority Female	\$34,875	-	\$34,875	0.41%
Total Minority Business Enterprise (MBE)	\$583,226	-	\$583,226	6.83%	
Women Business Enterprise (WBE)	\$32,728	-	\$32,728	0.38%	
Lesbian, Gay, Bisexual, Transgender Business Enterprise (LGBTBE)	\$5,125	-	\$5,125	0.06%	
Disabled Veteran Business Enterprise (DVBE)	-	-	-	-	
Persons with Disabilities Business Enterprise (DBE)	-	-	-	-	
Other 8(a)*	-	-	-	-	
Total Supplier Diversity Spend	\$621,079	-	\$621,079	7.27%	
Net Procurement**	\$8,544,877				
Net Product Procurement	\$125,064				
Net Service Procurement	\$8,419,813				
Total Number of Diverse Suppliers that Received Direct Spend	6				

EBCE Notes:

One firm is certified as a WMBE. This firm's procurement cost was counted under the Total MBE.

EBCE did not collect sufficient data in 2022 to have visibility into certified subcontractor spend by our prime contractors.

CPUC Notes:

* 8(a) - Businesses owned and controlled by persons found to be disadvantaged by the U.S. Small Business Administration pursuant to Section 8(a) of the Small Business Act, as amended (15 U.S.C. 637 (a)) or the U.S. Secretary of Commerce, pursuant to Section 5 of Executive Order 11625 (GO 156 Section 1.3.13).

** Net Procurement includes purchase orders, non-purchase orders, and credit card dollars

Direct - Means Direct Procurement: when a CCA directly procures from a supplier

Sub - Means Subcontractor Procurement: when a prime contractor, in contract with a CCA, procures from a subcontractor to fulfill its contractual obligation(s)

% - Percentage of net procurement

9.1.2: Supplier Diversity Results of Goods and Services (non-power purchases) by Product and Service Spending

	Product	Service	Total \$	%	
Minority Male	African American	-	-	-	
	Asian Pacific American	-	-	-	
	Hispanic American	-	\$548,351	\$548,351	6.42%
	Native American	-	-	-	-
	Total Minority Male	-	\$548,351	\$548,351	6.42%
Minority Female	African American	-	-	-	
	Asian Pacific American	-	\$34,875	\$34,875	0.41%
	Hispanic American	-	-	-	-
	Native American	-	-	-	-
	Total Minority Female	-	\$34,875	\$34,875	0.41%
Total Minority Business Enterprise (MBE)	-	\$583,226	\$583,226	6.83%	
Women Business Enterprise (WBE)	\$7,901	\$24,827	\$32,728	0.38%	
Lesbian, Gay, Bisexual, Transgender Business Enterprise (LGBTBE)	-	\$5,125	\$5,125	0.06%	
Disabled Veteran Business Enterprise (DVBE)	-	-	-	-	
Persons with Disabilities Business Enterprise (DBE)	-	-	-	-	
Other 8(a)*	-	-	-	-	
Total Supplier Diversity Spend	\$7,901	\$613,178	\$621,079	7.27%	

Net Procurement**	\$8,544,877
Net Product Procurement	\$125,064
Net Service Procurement	\$8,419,813
Total Number of Diverse Suppliers that Received Direct Spend	6

EBCE Notes:

One firm is certified as a WMBE. This firm's procurement cost was counted under the Total MBE.

EBCE did not collect sufficient data in 2022 to have visibility into certified subcontractor spend by our prime contractors.

CPUC Notes:

* 8(a) - Businesses owned and controlled by persons found to be disadvantaged by the U.S. Small Business Administration pursuant to Section 8(a) of the Small Business Act, as amended (15 U.S.C. 637 (a)) or the U.S. Secretary of Commerce, pursuant to Section 5 of Executive Order 11625 (GO 156 Section 1.3.13).

** Net Procurement includes purchase orders, non-purchase orders, and credit card dollars

Direct - Means Direct Procurement: when a CCA directly procures from a supplier

Sub - Means Subcontractor Procurement: when a prime contractor, in contract with a CCA, procures from a subcontractor to fulfill its contractual obligation(s)

% - Percentage of net procurement

9.1.2: Small & Local Spend

EBCE is also including an optional table to the CCAs to highlight local, California, and certified small business spend. Local is constituted by a business' location within EBCE's service area, and small businesses are those certified by the California Department of General Services ("DGS"). These values do not influence our WMDVLGBTBE spend values reported elsewhere in this report. As the table shows, EBCE spends with the highest number of local businesses, and spends roughly 67% of our Net Procurement within California. In terms of absolute dollars compared to 2021, there was a 40% increase from in EBCE small & local spend, and a 43% increase for in the state of California (excluding EBCE Local).

	Small Business*		Local Business		Combined	
	Procurement (\$)	# of Suppliers	Procurement (\$)	# of Suppliers	Small & Local Combined Spend (\$)	Small & Local Combined Spend (% of Net Procurement)
EBCE Local	\$600	1	\$1,556,702	90	\$1,557,302	18.22 %
In State	\$50,291	4	\$4,108,686	56	\$4,158,977	48.67%
Out of State	-	-	\$2,828,598	55	\$2,828,598	33.10%
TOTAL	\$50,891	5	\$8,493,986	201		

Net Procurement**

\$8,544,877

CPUC Notes:

* Firms classified as small businesses by DGS include non-WMDVLGBTBE

** Net procurement includes purchase order, non-purchase order, and credit card dollars

Direct - Direct procurement

Sub - Subcontractor procurement

% - Percentage of net procurement

EBCE Notes:

EBCE Local is constituted by a business' location within EBCE's service area.

Companies that are both certified small and local are not double counted.

All certified small businesses hold a Small Business (micro) certification from the DGS.

9.1.3 Supplier Diversity Program Expenses

EBCE's Supplier Diversity program expenses include staff and consulting time in the development of internal and external activities, as well as the preparation of the 2021 Report that occurred at the beginning of calendar year 2022. This included multiple sessions focused on collaboration and preparation with other CCAs as well as staff-wide training time.

EXPENSE CATEGORY	YEAR (ACTUAL)
Wages	\$10,798
Other Employee Expenses	\$0
Program Expenses	\$0
Reporting Expenses	\$0
Training	\$0
Consultants	\$863
Other	\$0
TOTAL	\$11,660

9.1.5 Description of Prime Contractor Utilization of Diverse Subcontractors

Understanding the certification status of subcontracted business entities continues to be a blind spot for EBCE. Though we requested information from our prime contractors in the Supplier Diversity questionnaire, EBCE's current data collection processes do not capture the necessary information on subcontractors to have certainty on certification status or potential eligibility.

In our 2022 Supplier Diversity questionnaire, EBCE again asked vendors to detail their subcontracting with certified and/or eligible subcontractors. 84% of the questionnaire respondents do not utilize subcontractors for their work for EBCE, and the rest of the prime contractors who required subcontractors utilized businesses that were not GO 156 certified or did not know the status of their subcontractor businesses. With heightened awareness of the Supplier Diversity program and Supplier Clearinghouse, we fully expect the knowledge of subcontractor status to improve as more prime contractors ask for this information. This may also naturally translate into an increase in reported certified subcontractors, as well.

Additionally, as we committed to in our 2022 Annual Plan, EBCE surveyed our prime contractors in 2022 to gather feedback regarding the value of a platform to connecting them to certified subcontractors as a way of supporting our existing prime contractors' own supplier diversity efforts. Given low interest from vendors, EBCE did not pursue developing a formal platform, though we have continued to promote the Supplier Clearinghouse as a robust database to source subcontractor leads, including highlighting this point on our Supplier Diversity webpage and linking to the Supplier Clearinghouse directly.

9.1.6 List of Supplier Diversity Complaints Received and Current Status

EBCE did not receive any complaints in regard to our Supplier Diversity program or procurement methodologies. On the contrary, for a third year in a row we received positive feedback from various vendors grateful for the opportunity to not only share their status relative to our compliance needs — i.e. which ‘boxes they tick’ — but to also share the active programs and initiatives they have developed and/or are maintaining relative to their own supplier diversity and workforce development efforts.

9.1.9 Description of Supplier Diversity Activities and Progress in Power (Energy) Procurement

In the Spring of 2022, EBCE released a request for offers (“RFO”) to procure additional long-term renewable energy resources, energy storage, and clean energy hedges.¹⁷ In written materials describing the solicitation, EBCE provided background resources on GO 156 and specifically encouraged eligible suppliers to pursue certification. That RFO is now complete, with results that include an energy storage facility that will be sited in EBCE’s service territory of Alameda County.

Furthermore, standard contracts in EBCE procurement now include a section defining prime counterparties’ responsibility to perform annual reporting to EBCE of their status as a certified vendor, if applicable, and their annual spend with eligible and/or certified subcontractors or other businesses. In addition to highlighting GO 156 and the Supplier Diversity program in written materials, EBCE describes the program and its importance in solicitation webinars. EBCE is committed to educating counterparties about the GO 156 program and its value to the business landscape, supporting the certification process for eligible contractors, and directing vendors to the Supplier Clearinghouse Certified Directory as an additional resource for hiring subcontractors.

EBCE places a high value on diversity and continues to support the mission of GO 156 while experiencing the same challenges as investor-owned utilities in its application to the power procurement space as well as additional challenges unique to EBCE.

As explained by the utilities in previous reports, the wholesale electric marketplace is comprised of large, long-term assets primarily owned and operated by large corporations and financial institutions. The generating resources that provide electricity to California customers are capital-intensive to construct and operate, thus there are limited opportunities for small to medium-sized businesses to enter the market as primary developers, owners, or operators. In the limited instances where small and medium-sized businesses do achieve contracts with load serving entities, these small businesses typically sell their assets to larger institutions; thus, the small businesses ultimately perform the role of an agent to develop and execute contracts for generating resources rather than the long-term owner or operator of the resource. This reality eliminates the opportunity for load serving entities to make ongoing payments to these small businesses.

Load serving entities typically do not make payments on contracts during the development process; any spend associated with a generating resource occurs when it is operational. Of EBCE’s executed contracts for more than 625MW of long-term renewables and almost 425MW of utility-scale storage, only five achieved commercial operation by the end of 2022, all of which generated invoices that were requested or paid during the calendar year.

¹⁷ [EBCE Spring 2022 RFO](#)

GO 156 tracks load serving entities' physical power procurement in the form of (1) renewable and non-renewable physical power, and (2) fuels procured for generation (typically diesel or natural gas). EBCE aspires to achieve an emissions-free portfolio of generating resources by 2030. By the end of 2022, other than the four long-term contracts for renewable energy that had achieved commercial operation, the remainder of EBCE's physical power needs were filled through short-term hedges to minimize exposure to price volatility; EBCE's portfolio also includes a long-term standalone battery energy storage contract that came online in 2021. GO 156 reporting explicitly excludes financial hedges, Inter-SC Trades, and purchases from the CAISO in the report. As such, the table here in 9.1.9 only reflects EBCE procurement from the five long-term renewables contracts that generated invoices in 2022, Renewable Energy Credits ("RECs"), Carbon-Free Energy, and Resource Adequacy.¹⁸ EBCE does not contract with fossil-fired generators for electricity; as a result, the organization has no cause to procure diesel or natural gas used to generate electricity. Additionally, as EBCE only provides electric service, EBCE does not contract for any fuels for non-generation. Thus, EBCE has no ability to engage in transactions with certified vendors for fuels.

EBCE, as a local government entity, is further challenged in its ability to engage in transactions with certified vendors in the power procurement space as EBCE is legally prohibited under California Prop 209 from granting preferential treatment to certified vendors or other diverse businesses in the contracting process.

As referenced in the Executive Summary, EBCE's Local Development Business Plan ("LDBP") provides a blueprint for how EBCE can increase local jobs, reduce pollution, and accelerate a just transition in Alameda County. EBCE is implementing the LDBP across the agency's functions.

¹⁸ All 2022 Resource Adequacy was counted as 'non-renewable power products' for the purposes and interpretations of the definitions for this report, despite some capacity coming from renewable resources.

9.1.9: Supplier Diversity Results in Power (Energy) Procurement

		Direct Power Purchases \$	Direct Fuels for Generation \$			Totals \$ ¹⁹			% ²⁰
		Renewable and Non-Renewable Power Products	Diesel	Nuclear	Natural Gas	Direct ²¹	Sub ²²	Total \$ ²³	
Minority Male	African American	\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
	Asian Pacific American	\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
	Hispanic American	\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
	Native American	\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
	Total Minority Male	\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
Minority Female	African American	\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
	Asian Pacific American	\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
	Hispanic American	\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
	Native American	\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
	Total Minority Female	\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
Total Minority Business Enterprise (MBE)		\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
Women Business Enterprise (WBE)		\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
Lesbian, Gay, Bisexual, Transgender Business Enterprise (LGBTBE)		\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
Disabled Veteran Business Enterprise (DVBE)		\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
Persons with Disabilities Business Enterprise (DBE)		\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
Other 8(a)²⁴		\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
Total Supplier Diversity Spend		\$0	\$0	\$0	\$0	\$0	\$0	0%	0%

Net Power Procurement	\$56,587,691
Net Direct Power Purchases	\$56,587,691
Net Direct Fuels for Generation	\$0
Total Number of Diverse Suppliers	0

CPUC Notes:

19 Excludes purchases from the California Independent System Operator (CAISO), utilities, federal entities, state entities, municipalities and cooperatives.

20 % - Percentage of Net Procurement.

21 Includes Direct Power Purchases and Direct Fuels for Generation. Direct - Means Direct Procurement: when a CCA directly procures from a supplier.

22 Sub - Means Subcontractor Procurement: when a prime contractor, in contract with a CCA, procures from a subcontractor to fulfill its contractual obligation(s).

23 "Total" does not include pre-commercial development (COD) subcontracting values.

24 8(a) - Businesses owned and controlled by persons found to be disadvantaged by the U.S. Small Business Administration pursuant to Section 8(a) of the Small Business Act, as amended (15 U.S.C. 637 (a)) or the U.S. Secretary of Commerce, pursuant to Section 5 of Executive Order 11625 (50 USC Section 1.3.13).

EBCE Notes:

EBCE also excluded any purchases from any other CCAs.

Non-Renewable Power Products Direct includes 2022 purchases Carbon-Free Energy (large hydro and ACS), and Resource Adequacy (all resources).

Renewable Power Products Direct includes 2022 long-term renewables contracts payments, as well as Renewable Energy Credit (REC) purchases.

Dollar figures in this table are standard; entered in \$MMs in supplemental Excel template submitted to CPUC.

2023 Annual Plan



10.2 Description of Supplier Diversity Program Activities Planned for the Next Calendar Year

As EBCE does not have any specific goals nor targets in terms of contracting with diverse suppliers, as per California Prop 209, we focus our goals on engagement of our existing prime contractors with the Supplier Diversity program. This takes the form of: 1) identifying and encouraging eligible vendors to complete the certification process — we already have a number of vendors in this stage after the 2022 questionnaire was completed — as well as 2) ensuring our prime contractors are aware of the Supplier Clearinghouse as they go out to source subcontractors, and 3) continued efforts to reach the business community with educational materials around EBCE's contracting opportunities and GO 156 certification information.

In addition to continued commitments to local purchasing and community grants and scholarships, EBCE has also committed to the below activities to include and or continue in 2023.

INTERNAL ACTIVITIES

Website and Supplier Resources

- EBCE will continue to add relevant updates and resources to our Supplier Diversity webpage and promote it to businesses and their networks.

Staff Engagement

- All EBCE staff will attend an annual internal training on GO 156, covering program overview, requirements, and responsibilities.

Data Capture and Improved Processes

- Staff has identified opportunities to improve internal processes and data capture to make our future reports even more thorough and robust. These initiatives will be implemented across the organization.

EXTERNAL ACTIVITIES

Solicitations

- EBCE will continue including information on the CPUC Supplier Diversity program in all of our solicitations and solicitation webinars.

Diversifying Outreach

- EBCE will continue to expand our outreach efforts in addition to our existing network of local community environmental groups, trade organizations, and chambers of commerce. Staff will continue outreach and partnership efforts with other local networks to communicate our solicitations and contracting opportunities more directly with these groups and their members.

CCA Collaboration

- EBCE will continue to explore the potential to collaborate with other CCAs in outreach and education efforts to our supplier ecosystems. We plan to, at the very least, participate in MCE’s 2023 “Certify & Amplify” workshop.

Power Procurement — 2023 Long-Term Resource Request for Offers

- Similar to EBCE’s 2022 Long-Term Request for Offers, staff will advertise the CPUC’s Supplier Diversity Program including EBCE’s GO 156 reporting requirements and encouraged eligible parties to consider certification.

10.2 Plans to Encourage Prime Contractors to Subcontract Small, Local, and Diverse Businesses

EBCE will continue to promote the Supplier Clearinghouse as a valuable database to source subcontractors, highlighting this on our Supplier Diversity webpage and providing a link to CPUC’s Supplier Clearinghouse. In addition to providing a network of vendors to our prime contractors, staff also emphasize its value to help businesses pursue their own small, local, and diverse business procurement goals.

Staff also follow a ‘local first’ approach with contracting opportunities when possible. As noted in our LDBP,²⁵ it stresses the importance of supplier diversity, particularly from vendors located in EBCE’s service territory. For procurements that require a solicitation, potential suppliers may receive points for their small or local business status (but EBCE does not make decisions solely based off these classifications). EBCE’s emphasis will naturally lead prime contractors to pursue small and local subcontractors, as it meets business needs.

²⁵ www.ebce.org/local-development-business-plan

