

March 1, 2024

Supplier Diversity 2023 Annual Report & 2024 Plan



Table of Contents

Message from Ava CEO Nick Chaset.....3

Executive Summary.....4

2023 Annual Report.....6

 9.1.1 Description of Supplier Diversity Program
 Activities During the Previous Calendar Year 7

 9.1.2 Supplier Diversity Results of Goods and
 Services (non-power purchases) if Procured..... 12

 9.1.3 Supplier Diversity Program Expenses..... 16

 9.1.5 Description of Prime Contractor Utilization
 of Diverse Subcontractors 16

 9.1.6 List of Supplier Diversity Complaints
 Received and Current Status..... 17

 9.1.9 Description of Supplier Diversity Complaints
 Received and Current Status..... 17

2024 Annual Plan..... 20

 10.2 Description of Supplier Diversity Program
 Activities Planned for the Next Calendar Year 21

 10.2 Plans to Encourage Prime Contractors to
 Subcontract Small, Local, Diverse Business 22



Message from Ava CEO Nick Chaset

On a day-to-day basis, it is a continuous battle to make progress on the clean energy front. There are the headlines about heatwaves and on-going impacts of climate change, the rules that govern energy markets are continually shifting, and the challenge of working with multiple stakeholders with competing interests to reach a common goal. However, I am encouraged that after five years of serving customers, Ava Community Energy continues to find a path forward in our core mission of providing Northern California residents, businesses and municipalities with greener electricity at lower rates.

Ava had many achievements to be proud of in the past year. First, you'll notice our new name: formerly East Bay Community Energy, we are now Ava Community Energy. The name change and rebrand signal Ava's expansion beyond the East Bay to encompass Alameda County and parts of the San Joaquin Valley, as well as the agency's growing commitment to driving electrification across its service territory. Part of our rebrand is also to cast a vision of being a trusted resource to our customers and provide simple guidance toward better, clean-powered living.

On the transportation electrification front, Ava partnered with EV Realty to build the largest public EV fast-charging hub with 33-stalls in Oakland, centrally located and next to a disadvantaged community. We also committed to a new financing program to support the transition to zero-emission heavy-duty trucks. Working with Forum Mobility, Ava will support the development of the Greenville Community Charging Depot, a 4.4-acre site capable of charging up to 96 trucks in Livermore. Furthermore, Ava celebrated reaching commercial operations on two solar + storage projects: Intersect's 679 MW solar and 250 MW storage in Riverside County and Daggett with 482 MW solar and 280 MW energy storage in San Bernardino County, one of the largest in the country. Ava staff was also pleased to announce the investment of \$16 million back into the community through our expanded bill credits and savings program.

While we feel our work speaks for itself, we had the honor of not only winning Environment + Energy Leader's 2023 Top Project of the Year Award for our Resilient Critical Municipal Facilities Program, but we were also recognized as one of the U.S.'s top green power providers by the National Renewable Energy Laboratory's Utility Green Pricing Program.

Our work demonstrates the unwavering commitment to the customers we are charged to serve. Ava will continue reinvesting our excess revenues into customer programs, clean power projects, local grants, and local procurement efforts all in the spirit of supporting our local communities. We are excited to highlight 2023's outcomes in this year's supplier diversity report.

Nick Chaset
CEO, Ava Community Energy



Executive Summary

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

Ava 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. Ava started serving Alameda County businesses and municipalities in June 2018 and began serving residential customers in November 2018. In 2020, Ava 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 and 2023, respectively, Stockton and Lathrop were accepted as Ava’s latest jurisdictions, with service tentatively scheduled for 2025.

As a California local government entity bound by California Prop 209, Ava is prohibited from considering race, sex, color, ethnicity, or national origin in its contracting. Accordingly, in contrast to California’s electrical corporations, Ava does not set supplier diversity targets or goals. Ava has, however, developed programming for outreach and education around General Order 156 (“GO 156”) to ensure that Ava’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. Ava 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).

Ava’s contracting process is not influenced by the Supplier Clearinghouse certification status of its potential suppliers. Ava does not collect data from its suppliers on their status as a diverse business or certified vendor until after the contract with Ava is executed. To provide the state with data on Ava’s annual spend with diverse suppliers, Ava asks its suppliers to provide information on their diverse status after contract execution through a 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 Ava 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, Ava does not exhibit preference for woman-owned (“WBE”), minority-owned (“MBE”), or LGBT-owned (“LGBTBE”) suppliers in its solicitations or procurement selections. However, Ava does employ four procurement preferences, incorporated into Ava’s Administrative Procurement Policy. In 2021 Ava 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. Ava'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 Ava 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 Ava's community benefits goals, and provides strategies for local workforce development for adoption by the Ava Board of Directors.

¹ AvaEnergy.org/local-development-business-plan

2023 Annual Report



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

Ava recognizes its responsibility and opportunity as a local public agency, investing millions of dollars into the community and state every year. As such, Ava holds a strong commitment to investing directly in its service territory to the greatest degree possible. This takes the form of maximizing 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 customers.

In 2023, Ava had a Net Procurement of \$11,960,645,² spent on professional services, administrative spend, and community grants and sponsorships. As acknowledged in the CPUC Proposed Decision released on February 9, 2021,³ Ava – 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, Ava's Net Procurement amount is limited in size and scope compared to the Net Procurements of the investor-owned utilities, and the diverse supplier spend is only a small portion of 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, Ava continues to approach and grow 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 2023 to that end.

Internal Activities

Board of Directors Engagement

- In April 2023, staff provided an informational report to the Board of Directors on GO 156, SB 255, and Ava's third annual Supplier Diversity report.⁴
- In the Fall of 2023, Ava worked with CCA Workforce & Environmental Justice Standards Alliance to formalize evaluation criteria as it pertains to Ava's energy offtake agreements. The criteria are focused on strengthening hiring of local and equitable workforces, as well as addressing environmental justice priorities. The criteria were formalized in Ava policy in January 2024. This work is elaborated on in 9.1.9.

Staff Engagement

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

CCA Collaboration

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

CPUC Collaboration

- In June 2023, Ava staff participated in a call with CPUC staff to debrief on Ava's 2022 Supplier Diversity Report.
- In June 2023, Ava on-boarded new CPUC staff to help them with understanding of Ava's work and path forward
- Ava 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.

²Net 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[Ava Staff Report](#). April 19, 2023.

2024 Planning

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

External Activities

CPUC 21st Annual Supplier Diversity En Banc

- Ava staff attended the annual En Banc in September 2023 to understand challenges and opportunities and share information and resources.

CPUC's Small and Diverse Business Expo

- Ava staff attended the event where they promoted business opportunities and solicitation channels to small businesses that attended the event. Ava staff also sought to understand small and diverse service offerings. 53 businesses were added to the solicitation distribution list.

Chamber Memberships

- Ava continued its membership in the chambers of commerce for all JPA member cities.⁵ Ava 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.
- Ava staff has sent out monthly resources such as customer services and rebate programs, local sponsorship opportunities, rate information, and other agency news, to Oakland African American Chamber of Commerce, Oakland Latino Chamber of Commerce, and Oakland Chinatown Chamber of Commerce.
- Ava hosted a booth at Oakland Chinatown Chamber of Commerce's annual Lunar New Year Event in January 2023.

Certify & Amplify

- Ava leveraged outreach to chambers and business organizations to promote MCE's "Certify & Amplify" event held in June 2023.

Solicitations

- Ava uses standard language pertaining to supplier diversity in all goods, services, and power solicitations. Ava provides background on GO 156, on Ava's legal inability to exhibit preference to diverse suppliers, and supports certification of eligible contractors.
- Ava has also developed standard slides on GO 156 and certification resources to be used in all solicitation webinars.

Local Purchasing

- Ava purchases goods and services from small and local businesses to the greatest degree possible. Ava's Administrative Procurement Policy provides that 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

⁵Except for the City of Emeryville, which does not have a Chamber of Commerce.

businesses, for which Ava predominantly uses 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 Ava does not make decisions solely based off these classifications.

Labor & Workforce Development

- Ava 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 labor.⁶ As prime contractors source subcontractors within these requirements they are more likely to contract with small and diverse businesses.
- Ava also has growing partnerships to support local workforce development opportunities for community members. Some of this work is in direct relation to the deployment of Ava's local clean energy programs, and some is more generally dedicated to advancing clean energy jobs training, workforce development, and career pathways for young people.
- As mentioned in Board of Directors engagement, Ava has worked to incorporate evaluation criteria regarding the hiring of local and equitable workforces, in the spirit of workforce development. The criteria was approved by the Board of Directors in January 2024.

Community Sponsorships

- Ava is dedicated to reinvesting in its 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. Community Sponsorships go to all sorts of incredible local organizations in categories spanning from STEM education to arts & music to addressing food insecurity. In 2023, 20 unique organizations received a Community Sponsorship.⁷
- Ava 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 (2023 being Ava's third year), supporting the Oakland Roots in their efforts to become climate positive⁸ and to continue building a diverse and inclusive community of fans from across Northern California. In turn, Ava hosts a booth at all home games to engage fans of all ages in learning more about the agency.

2023 Community Investment Grants

- Ava began awarding grants this funding cycle (2023–2026), with the objective of investing in the community, educating and empowering Ava customers for the energy transition. Three RFPs out of the five grants were posted as of December 2023.⁹
- One grant awarded \$150,000 in grant funds in December 2023 (another \$150k will be paid, for a total of \$300,000, over 2 years) to Channing St. Co. in support of Induction Cooking Education and Awareness.¹⁰ This grant will support Ava Customers in replacing gas use. Specifically, Channing St. will provide electrification education and awareness at community events, prioritizing outreach to and enrollment from residents in Equity Priority Communities.¹¹
- The other two RFPs were in support of Environmental and Renewable Energy Education grant (for elementary and middle schools)¹² and a Youth Training Education (for high school-aged or recent college grads).¹³ These were posted in December 2023 with proposals arriving by the end of February 2024.

⁶ 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.

⁷ List of Community Sponsorships: AvaEnergy.org/community-sponsorships

⁸ [Oakland Roots press release and Ava partnership video](#), September 2021.

⁹ AvaEnergy.org/solicitations

¹⁰ [Induction Cooking Education and Awareness Grant](#), August 15, 2023.

¹¹ mtc.ca.gov/planning/transportation/access-equity-mobility/equity-priority-communities

¹² [Climate, Renewable Energy and Electrification Education Grant](#), December 22, 2023.

¹³ [Clean Energy Jobs and Training for Youth Awareness Grant](#), December 22, 2023.

Power Procurement—2023 Long-Term Resource Request for Offers¹⁴

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

Supplier Diversity Questionnaire

- Ava sent requests to prospective respondents from the Ava Supplier Diversity email address—supplier-diversity@avaenergy.org—and attached the GO 156 Certification Benefits & FAQs document,¹⁵ to help garner vendor attention and participation in both the questionnaire, and the GO 156 program overall.
- Given the unique set of vendors Ava works with, many do not hold contracts with the investor-owned utilities and were unaware of GO 156. When Ava distributed the questionnaire, Ava again received feedback that the socialization of the program and the Supplier Clearinghouse were highly informative to many of its vendors. Several eligible vendors noted their status and interest in pursuing certification as a result of learning about GO 156 and the Supplier Clearinghouse. Ava will support their pursuit of certification.
- In addition to collecting required data for this Annual Report, Ava staff also took the opportunity to gather details and feedback relative to local job creation and workforce development opportunities that stem directly from Ava contracts.

Support and Technical Assistance to Small and Diverse Businesses

- Ava is committed to assisting existing GO 156-eligible prime contractors in pursuing certification. Ava offers technical assistance directly to vendors, as well as publicly on Ava's website. In 2023 Ava did not receive any requests for support in the certification application process but did actively extend the offer to the eight 2022 vendors who self-identified as 'eligible but not yet certified' through last year's questionnaire. In outreach to diverse and ethnic chambers of commerce, Ava also included information on GO 156 certification, along with the offer for technical assistance to any of the organizations' members.
- Ava also evaluated avenues to actively support Ava's existing prime contractors in identifying certified subcontractors from the Supplier Clearinghouse where they have the need and interest. Given low interest from vendors, Ava did not pursue developing a formal platform to enable prime contractors to review and engage with certified subcontractors more easily. Ava has, however, continued to promote the Supplier Clearinghouse as a robust database to source subcontractor leads, including highlighting this point on Ava's Supplier Diversity webpage and linking to the Supplier Clearinghouse directly.
- Through Ava's advertising of the certification, Pivotal Talent Search certified with CPUC. In addition two other businesses are finalizing their CPUC certification.

Assistance Programs Supporting Diverse Communities

In addition to the work in supporting diverse businesses, it is important to highlight Ava's efforts to support diverse communities.

- Ava currently participates in several CPUC regulated programs aimed at assisting customers with their utility bill including the Disadvantaged Communities-Green Tariff ("DAC-GT") and the Percentage of Income Payment Plan ("PIPP"). Ava's DAC-GT program, known as the "Ava Solar Discount" program, offers customers access to 100% renewable energy supply and a 20% discount on their electricity bills. DAC-GT is for groups who are California Alternate Rates for Energy/Family Electric Rate Assistance Program (CARE/

¹⁴ AvaEnergy.org/ebce-sjce-2023-rfo/

¹⁵ [GO 156 Certification Benefits & FAQs, Ava PDF](#)

FERA) enrolled and living in a designated disadvantaged community,¹⁶ i.e. groups who have high barriers to accessing low-cost, renewable energy. By the end of 2023, Ava's Solar Discount program was enrolled up to its program cap of ~2,600 customers. In 2023, the program provided customers a total of \$467,031 in electric bill savings. Participants received an average of \$17.30 off their monthly electricity bill.

- Ava also participated in the Percentage of Income Payment Plan (PIPP), a 4-year pilot program for customers who are CARE-enrolled and located in one of Ava's top 20 zip codes with the highest rate of recurring disconnections. Customers' energy charges are capped at a fixed amount, plus taxes and fees. There are two standardized bill caps that can apply to the customer's bill and are based on the customer's income level. Ava customers were first enrolled in the program starting in March 2023. By the end of 2023, Ava's PIPP program had ~630 enrolled customers. Ava's program size is capped at 708 spots. In 2023, the program provided customers a total of \$165,635 in electric generation bill savings. Participants received an average of \$33.46 off their monthly electric bill on the generation side.
- In November 2023, every household on an income-qualifying rate under the CARE/ FERA programs automatically received a one-time \$50 bill credit. With about 115,000 qualifying accounts, Ava is putting approximately \$6 million back in customers' wallets. Furthermore, in November and continuing on a rolling basis, all Ava residential customers (including those on CARE or FERA) will receive a \$7.74 bill credit, and all Ava commercial customers will receive volumetric savings on their bills based on their electricity usage. These two tranches total \$10.5 million across residential and commercial bills.

Ava's Supplier Diversity Website and Contact Information

Ava's Supplier Diversity webpage can be found at:

AvaEnergy.org/supplier-diversity

Ava's Supplier Diversity Program Manager, Joseph Sit can be reached at:

jsit@AvaEnergy.org or 510.904.1032.

¹⁶ A "disadvantaged community" is a community that appears among the top 25% of census tracts identified by CalEnviroScreen 3.0 or CalEnviroScreen 4.0. CalEnviroScreen is an analytical tool created by the California Environmental Agency (CalEPA) that measures a combination of economic, health, and environmental factors by census tract.

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

In Ava's fourth year Ava contracted with four confirmed GO 156 certified suppliers, for a total Diverse spend of \$224,835. In 2023 Ava supported nine eligible suppliers, and one additional diverse supplier based outside of California. The eligible but not yet certified suppliers have identified as Minority-Owned and/or Women-Owned Business Entities. Ava will work with the other interested suppliers to support their pursuit of certification by the Supplier Clearinghouse. If all eligible suppliers were certified in 2023, Ava's total Diverse spend would have increased by \$48,660 for a would-be total of \$273,495.

As detailed in Section 9.1.1, given that CCAs' supplier selection process does not take account of diverse supplier status for any procurement, Ava's diverse supplier spend is a small portion of annual Net Procurement. Ava's total procurement with certified vendors captures spend with small and local business services within communities that Ava serves, and also bespoke technical consulting services utilized to support innovative new clean energy programs, power portfolio management, and regulatory analysis and compliance. All four certified diverse vendors highlighted in this 2023 Annual Report are California-based businesses. All four businesses are located in Bay Area counties—including one in Ava's service area.

Women-Owned Business Entity Procurement

Of Ava's four certified diverse suppliers, two are certified 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 total diverse spend.

- **Blaisdell's Business Products** is an Oakland-based office goods vendor that supplies Ava with various office amenities.
- **Clean Energy Regulatory Research, LLC** is a San Francisco-based regulatory consulting firm providing services to the utility sector on clean energy programs.

Minority-Owned Business Entity Procurement

Of Ava's four certified diverse suppliers, two are certified 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 total diverse spend.

- **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.
- **Pacific Printing** produced various mailers and printed collateral for Ava.

LGBT-Owned Business Entity Procurement

Of Ava's four 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	\$145,648	-	1.22%
	Native American	-	-	-
	Total Minority Male	\$145,648	-	1.22%
Minority Female	African American	-	-	-
	Asian Pacific American	\$45,135	-	0.38%
	Hispanic American	-	-	-
	Native American	-	-	-
	Total Minority Female	\$45,135	-	0.38%
Total Minority Business Enterprise (MBE)		\$190,783	-	1.60%
Women Business Enterprise (WBE)		\$21,130	-	0.18%
Lesbian, Gay, Bisexual, Transgender Business Enterprise (LGBTBE)		\$12,923	-	0.11%
Disabled Veteran Business Enterprise (DVBE)		-	-	-
Persons with Disabilities Business Enterprise (DBE)		-	-	-
Other 8(a)*		-	-	-
Total Supplier Diversity Spend		\$224,835	-	1.88%

Net Procurement**	\$11,960,645
Net Product Procurement	\$309,305
Net Service Procurement	\$11,651,339
Total Number of Diverse Suppliers that Received Direct Spend	4

Ava Notes:

One firm is certified as a WMBE. This firm's procurement cost was counted once under the Total MBE. Ava did not collect sufficient data in 2023 to have visibility into certified subcontractor spend by 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	\$1,583	\$144,065	\$145,648	1.22%
	Native American	-	-	-	-
	Total Minority Male	\$1,583	\$144,065	\$145,648	1.22%
Minority Female	African American	-	-	-	-
	Asian Pacific American	-	\$45,135	\$45,135	0.38%
	Hispanic American	-	-	-	-
	Native American	-	-	-	-
	Total Minority Female	-	\$45,135	\$45,135	0.38%
Total Minority Business Enterprise (MBE)		\$1,583	\$189,200	\$190,783	1.60%
Women Business Enterprise (WBE)		\$21,130	\$0	\$21,130	0.18%
Lesbian, Gay, Bisexual, Transgender Business Enterprise (LGBTBE)		-	\$12,923	\$12,923	0.11%
Disabled Veteran Business Enterprise (DVBE)		-	-	-	-
Persons with Disabilities Business Enterprise (DBE)		-	-	-	-
Other 8(a)*		-	-	-	-
Total Supplier Diversity Spend		\$22,712	\$202,123	\$224,835	1.88%

Net Procurement**	\$11,960,645
Net Product Procurement	\$309,305
Net Service Procurement	\$11,651,339
Total Number of Diverse Suppliers that Received Direct Spend	4

Ava Notes:

One firm is certified as a WMBE. This firm's procurement cost was counted once under the Total MBE. Ava did not collect sufficient data in 2023 to have visibility into certified subcontractor spend by 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

Ava 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 Ava's service area, and small businesses are those certified by the California Department of General Services ("DGS"). These values do not influence diverse supplier spend values reported elsewhere in this report. As the table shows, Ava spends with the highest number of local businesses, and spends roughly 75% of its Net Procurement within California. In terms of absolute dollars compared to 2022, Ava small & local spend tripled, and overall spending in California increased by more than 50%.

	Small Business*		Local Business (exclude Small Business*)		Combined	
	Procurement (\$)	# of Suppliers	Procurement (\$)	# of Suppliers	Small & Local Combined Spend (\$)	Small & Local Combined Spend (% of Net Procurement)
Ava Local	\$25,310	2	\$4,686,173	101	\$4,711,483	39.39%
In State (excludes Ava local)	\$10,410	1	\$4,160,830	168	\$4,171,240	34.87%
Out of State	–	–	\$3,077,922	65	\$3,077,922	25.73%
TOTAL	\$35,720	3				

Net Procurement**	\$11,960,645
--------------------------	---------------------

Ava Notes:

Ava Local is constituted by a business' location within Ava'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.

CPUC Notes:

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

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

Direct - Direct procurement

Sub - Subcontractor procurement

% - Percentage of net procurement

9.1.3 Supplier Diversity Program Expenses

Ava'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 2022 Report that occurred at the beginning of calendar year 2023. This included multiple sessions focused on collaboration and preparation with other CCAs as well as staff-wide training time.

Expense Category	Year (Actual)
Wages	\$6,851
Other Employee Expenses	\$0
Program Expenses	\$0
Reporting Expenses	\$0
Training	\$0
Consultants	\$825
Other	\$0
TOTAL	\$7,676

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 Ava. Though Ava staff requested information from our prime contractors in the Supplier Diversity questionnaire, Ava's current data collection processes do not capture the necessary information on subcontractors to have certainty on certification status or potential eligibility.

In Ava's 2023 Supplier Diversity questionnaire, Ava again asked vendors to detail their subcontracting with certified and/or eligible subcontractors. 86% of the questionnaire respondents do not utilize subcontractors for their work for Ava, 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. Heightened awareness of the Supplier Diversity program and Clearinghouse did not translate to better prime knowledge of subcontractor status. In addition, much of the work for which Ava contracts is not subcontracted out, nor does Ava give preference to bidders with diverse suppliers. In sum, there is little reason or opportunity for Ava prime contractors to engage diverse subcontractors.

Additionally, as committed to in Ava's 2023 Annual Plan, Ava surveyed prime contractors in 2023 to gather feedback regarding the value of a platform to connecting them to certified subcontractors as a way of supporting existing prime contractors' own supplier diversity efforts. Vendors expressed low interest in such a platform, and Ava did not pursue developing a formal platform.

With all that said, Ava continues to promote the Supplier Clearinghouse as a robust database to source subcontractor leads, including highlighting this point on Ava's Supplier Diversity webpage and linking to the Supplier Clearinghouse directly.

9.1.6 List of Supplier Diversity Complaints Received and Current Status

Ava did not receive any complaints in regard to Ava’s Supplier Diversity program or procurement methodologies. On the contrary, for a fourth year in a row Ava received positive feedback from various vendors grateful for the opportunity to not only share their status relative to Ava’s 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

2023 Long Term RFO

In the Spring of 2023, Ava 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, Ava provided background resources on GO 156 and specifically encouraged eligible suppliers to pursue certification. Negotiations in that RFO are still underway.

Furthermore, standard contracts in Ava procurement now include a section defining prime counterparties’ responsibility to perform annual reporting to Ava of their status as a certified vendor, if applicable, and their spend with eligible and/or certified subcontractors or other businesses. In addition to highlighting GO 156 and the Supplier Diversity program in written materials, Ava describes the program and its importance in solicitation webinars. Ava 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. Ava 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 Ava.

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, limiting the 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 eliminates the opportunity for load serving entities to make ongoing payments to these small businesses.

As a local government entity, Ava is further challenged in its ability to engage in transactions with certified vendors in the power procurement space as Ava is legally prohibited under Prop 209 from granting preferential treatment to businesses solely because of its designation as a diverse business enterprise.

¹⁷ [Ava Spring 2023 RFO](#)

Workforce and Environmental Justice Evaluation Criteria

Ava is limited in procuring from a diverse supplier base due to barriers to the wholesale market and because of Prop 209 cannot grant preferential treatment to diverse businesses in the contracting process. In addition, as a load serving entity, Ava does not typically make payments on contracts during the development process, only paying generating resource occurs when it is operational.

However, Ava continues to make strides in advocating for its priorities, strengthening workforces that are local, equitable, and comprised of union employees, as well as addressing environmental justice priorities. Using recently Board-approved evaluation criteria consistent with these priorities, Ava can more effectively select power projects and impress Ava's priorities on the project development process.

Over the latter half of 2023, Ava worked in establishing these criteria. Ava staff engaged with the CCA Workforce & Environmental Justice Standards Alliance, a large stakeholder group made up of over 40 organizations that represent the interests of labor, climate, and environmental justice. The Alliance includes representatives from the Building and Construction Trades Council of Alameda County, Let's Green CA!, SLO Climate Coalition, and a number of other workforce, environmental justice, and community based organizations. Through these discussions, Ava built out these criteria into the overall evaluation of energy offtake agreements.

Historically, evaluation of energy offtake agreements has been consistent with these project selection criteria, but the discussions and the evaluation standards that came out of that dialogue, formalize policy that outlines Ava's priorities for board approval in an official and public manner.

Ava staff presented and discussed a working draft of the Criteria at the November 8, 2023 Finance, Administrative, and Procurement subcommittee meeting. Policy was finalized in coordination with stakeholders and received approval on January 17, 2024.¹⁸

Ava Energy Portfolio through 2023

Of Ava's executed contracts for more than 900MW of long-term renewables and approximately 550MW of utility-scale storage, six achieved commercial operation by the end of 2023 all of which generated invoices that were requested or paid during the calendar year.

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). Ava aspires to achieve an emissions-free portfolio of generating resources by 2030. By the end of 2023, other than the six long-term contracts for renewable energy that had achieved commercial operation, the remainder of Ava's physical power needs were filled through short-term hedges to minimize exposure to price volatility; Ava'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 Ava procurement from five long-term renewables contracts that generated invoices in 2023, Renewable Energy Credits ("RECs"), Carbon-Free Energy, and Resource Adequacy.¹⁹ Ava 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 Ava only provides electric service, Ava does not contract for any fuels for non-generation. Thus, Ava has no ability to engage in transactions with certified vendors for fuels.

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

¹⁸ [Staff Report](#). January 17, 2024.

¹⁹ All 2023 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 \$ ²⁰			% ²¹
		Renewable and Non-Renewable Power Products	Diesel	Nuclear	Natural Gas	Direct ²²	Sub ²³	Total \$ ²⁴	
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) ²⁵		\$0	\$0	\$0	\$0	\$0	\$0	0%	0%
Total Supplier Diversity Spend		\$0	\$0	\$0	\$0	\$0	\$0	0%	0%

Ava Notes:

Ava also excluded any purchases from any other CCAs. Non-Renewable Power Products Direct includes 2023 purchases Carbon-Free Energy (large hydro and ACS), and Resource Adequacy (all resources). Renewable Power Products Direct includes 2023 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.

CPUC Notes:

²⁰ Excludes purchases from the California Independent System Operator (CAISO), utilities, federal entities, state entities, municipalities and cooperatives.

²¹ % - Percentage of Net Procurement.

²² Includes Direct Power Purchases and Direct Fuels for Generation. Direct - Means Direct Procurement: when a CCA directly procures from a supplier.

²³ Sub - Means Subcontractor Procurement: when a prime contractor, in contract with a CCA, procures from a subcontractor to fulfill its contractual obligation(s).

²⁴ "Total" does not include pre-commercial development (COD) subcontracting values.

²⁵ 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).

2024 Annual Plan



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

Prop 209 bars Ava from adopting specific goals or targets in terms of contracting with diverse suppliers. Accordingly, Ava focuses on engagement of existing prime contractors with the Supplier Diversity program. This takes the form of: 1) identifying and encouraging eligible vendors to complete the certification process—Ava already has a number of vendors in this stage after the 2023 questionnaire was completed—as well as 2) ensuring 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 Ava's contracting opportunities and GO 156 certification information.

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

Internal Activities

Website and Supplier Resources

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

Staff Engagement

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

Data Capture and Improved Processes

- Ava staff implemented improved internal processes and data capture to make future reports even more thorough and robust. These initiatives will continue across the organization.

External Activities

Solicitations

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

Diversifying Outreach

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

CCA Collaboration

- Ava will continue to explore the potential to collaborate with other CCAs in outreach and education efforts to their supplier ecosystems.

Power Procurement—Future Long-Term Resource Request for Offers

- Similar to Ava's 2023 Long-Term Request for Offers, Ava staff will advertise the CPUC's Supplier Diversity Program including Ava's GO 156 reporting requirements and encouraged eligible parties to consider certification in future procurement solicitations

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

Ava will continue to promote the Supplier Clearinghouse as a valuable database to source subcontractors, highlighting this on Ava's Supplier Diversity webpage and providing a link to CPUC's Supplier Clearinghouse. In addition to providing a network of vendors to its 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 the LDBP,²⁰ it stresses the importance of supplier diversity, particularly from vendors located in Ava's service territory. For procurements that require a solicitation, potential suppliers may receive points for their small or local business status (but Ava does not make decisions solely based off these classifications). Ava's emphasis will naturally lead prime contractors to pursue small and local subcontractors, as it meets business needs.

²⁰ [AvaEnergy.org/local-development-business-plan](https://www.avaenergy.org/local-development-business-plan)



CONTACT US 
+1 833.699.3223
customer-support@AvaEnergy.org

VISIT & FOLLOW US 
AvaEnergy.org
@PoweredWithAva   