

ENERGY STORAGE PROCUREMENTS & PREVAILING WAGE



Prevailing wage is a minimum compensation level by county set by the Illinois Department of Labor (IDOL) for construction activities related to public works. Under the Clean and Reliable Grid Affordability Act (CRGA), energy storage projects are subject to the prevailing wage requirements of Illinois Prevailing Wage Act (PWA). To confirm compliance with PWA requirements, the IPA shall require verification that all construction performed on the energy storage facility by the Seller or its contractors and subcontractors relating to the construction of the facility is performed by construction employees receiving an amount for that work equal to or greater than the general prevailing rate.



Prevailing Wage Act Requirements

- Seller must certify understanding that prevailing wage requirements apply to the project with a Prevailing Wage Attestation checkbox at the Part I application.
- Seller must ensure that any contractor or subcontractor performing work at the project facility has express notice of the prevailing wage applicability to that project, the prevailing wage rate for the relevant county, and understands proper posting and record keeping requirements related to prevailing wage.
- Each contractor or subcontractor must consult the local prevailing wage rate at the Illinois Department of Labor website for each date of construction (consult regularly for rates applicable at time of construction as rates are updated often).
- Each contractor and subcontractor under contract for construction activities for the project must pay the applicable prevailing wage rate to its employees and submit a Certified Transcript of Payroll (CTP) to the IDOL Certified Transcript of Payroll Portal in accordance with the requirements of the PWA throughout construction activities.
 - Construction means all work involving laborers, workers or mechanics. This includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.
 - Prevailing wage must also be paid on construction of a rebuilt system after a force majeure event.



Compliance through Certified Transcripts of Payroll

Documentation of payroll that certifies at least the local prevailing wage was paid is required to be submitted electronically to IDOL via the CTP Portal. To comply with the Prevailing Wage Act, the Seller must ensure CTPs are timely submitted to IDOL throughout project construction. To comply with the Illinois Power Agency Act as amended by CRGA, the Seller must provide copies of the timely-filed CTPs to the IPA within 10 days of project COD. Copies of CTPs submitted to the IPA should be in an unaltered state and match those submitted to IDOL.



Consequences of Noncompliance with the Prevailing Wage Act

Compliance with the prevailing wage requirements is required by law and under the ISC Contract. Per the PWA, late filed CTPs can incur a fine and knowingly filing a CTP that the entity knows to be false is a Class A misdemeanor.

Under the ISC Contract, failure to comply with the requirements under the Prevailing Wage Act constitutes an **Event of Default**.



Resources from IDOL

- [IDOL Prevailing Wage Website](#)
- [IDOL Prevailing Wage FAQs](#)
- [IDOL Prevailing Wage Rates](#)
- [Certified Transcripts of Payroll Portal and Information](#)
- [Prevailing Wage Act \(820 ILCS 130/\)](#)



IDOL Contact Information

For support related to the PWA:

- Phone: [\(217\) 782-1710](tel:2177821710)
- Email: DOL.PWD@Illinois.gov

For specific questions on the CTP database or filling out a CTP:

- Phone: [\(312\) 793-3600](tel:3127933600)
- Email: dol.certifiedpayroll@illinois.gov

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