



Rep. William Davis

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1 AMENDMENT TO SENATE BILL 2365

2 AMENDMENT NO. _____. Amend Senate Bill 2365 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Procurement Code is amended by
5 changing Sections 20-15 and 20-60 and by adding Section 50-85
6 as follows:

7 (30 ILCS 500/20-15)

8 Sec. 20-15. Competitive sealed proposals.

9 (a) Conditions for use. When provided under this Code or
10 under rules, or when the purchasing agency determines in
11 writing that the use of competitive sealed bidding is either
12 not practicable or not advantageous to the State, a contract
13 may be entered into by competitive sealed proposals.

14 (b) Request for proposals. Proposals shall be solicited
15 through a request for proposals.

16 (c) Public notice. Public notice of the request for

1 proposals shall be published in the Illinois Procurement
2 Bulletin at least 14 calendar days before the date set in the
3 invitation for the opening of proposals.

4 (d) Receipt of proposals. Proposals shall be opened
5 publicly or via an electronic procurement system in the
6 presence of one or more witnesses at the time and place
7 designated in the request for proposals, but proposals shall be
8 opened in a manner to avoid disclosure of contents to competing
9 offerors during the process of negotiation. A record of
10 proposals shall be prepared and shall be open for public
11 inspection after contract award.

12 (e) Evaluation factors. The requests for proposals shall
13 state the relative importance of price and other evaluation
14 factors. Proposals shall be submitted in 2 parts: the first,
15 covering items except price; and the second, covering price.
16 The first part of all proposals shall be evaluated and ranked
17 independently of the second part of all proposals.

18 (e-5) Method of scoring.

19 (1) Except as otherwise provided in this subsection
20 (e-5), all procurement scoring rubrics for contracts
21 entered into under this Code shall account for and allocate
22 20% of the total available points toward evaluation of each
23 respondent's commitment to diversity and shall require
24 documentation supporting that purpose. The specific
25 documentation required shall be set by rule by the Chief
26 Procurement Officer.

1 (2) The scoring rubric requirements established under
2 this subsection (e-5) shall include, but are not limited
3 to, the following:

4 (A) for publicly-owned businesses, the number and
5 percentage of members of the respondent's governing
6 board who are women, minorities, or persons with
7 disabilities;

8 (B) for privately-owned businesses, the respondent
9 shall identify whether it or the subsidiaries it owns
10 or controls are managed by women, minorities, or
11 persons with disabilities. For the purposes of this
12 subparagraph (B), "managed by women, minorities, or
13 persons with disabilities" means being managed by
14 women, minorities, or persons with disabilities, or
15 any combination of women, minorities, or persons with
16 disabilities equal to at least 51% of the total number
17 of management personnel;

18 (C) the respondent shall provide the number and
19 percentage of the respondent's owners and managers who
20 are women, minorities, or persons with disabilities;

21 (D) the number and percentage of the respondent's
22 senior executive leaders, including partner,
23 president, chief operating officer, managing director,
24 or other senior executives, who are women, minorities,
25 military veterans, or persons with disabilities;

26 (E) the number and percentage of the respondent's

1 staff, including both full-time and part-time
2 employees, who are women, minorities, or persons with
3 disabilities; and

4 (F) the respondent's intended use of
5 subcontractors for a project, if any, that are women,
6 minorities, or persons with disabilities.

7 (3) When a request for proposal is issued by any State
8 agency or public institution of higher education and falls
9 within a service or product offering that has a history of
10 disparate awards to a class of business owners that are
11 identified under the Business Enterprise Program Act, the
12 scoring rubric allocation provided for under paragraph (1)
13 shall be 30% of the total available points towards
14 evaluation of each respondent's commitment to diversity.

15 (4) If any State agency contract is eligible to be paid
16 for or reimbursed, in whole or in part, with federal-aid
17 funds, grants, or loans, and the provisions of this
18 subsection would result in the loss of those federal-aid
19 funds, grants, or loans, then the contract is exempt from
20 the provisions of this Section in order to remain eligible
21 for those federal-aid funds, grants, or loans.

22 (5) When the price offered by the highest-ranking
23 offeror to a request for proposals, which includes the
24 allocated percentage of scoring based on diversity, is
25 found to be more than 15% higher than the next-ranked
26 offeror by the purchasing State agency or public

1 institution of higher education, the Chief Procurement
2 Officer may approve an award to an offeror other than the
3 highest-ranked offeror.

4 For the purposes of this subsection (e-5):

5 "Manager" means a person who controls or administers
6 all or part of a company or similar organization.

7 "Minorities" has the same meaning as "minority person"
8 under Section 2 of the Business Enterprise for Minorities,
9 Women, and Persons with Disabilities Act.

10 "Persons with disabilities" has the same meaning as
11 "person with a disability" under Section 2 of the Business
12 Enterprise for Minorities, Women, and Persons with
13 Disabilities Act.

14 "Senior executive" means the chief executive officer,
15 chief operating officer, chief financial officer, or
16 anyone else in charge of a principal business unit or
17 function.

18 "Veteran" means a member of the Armed Forces of the
19 United States, a member of the Illinois National Guard, or
20 a member of any reserve component of the Armed Forces of
21 the United States.

22 "Women" has the same meaning as "woman" under Section 2
23 of the Business Enterprise for Minorities, Women, and
24 Persons with Disabilities Act.

25 (f) Discussion with responsible offerors and revisions of
26 offers or proposals. As provided in the request for proposals

1 and under rules, discussions may be conducted with responsible
2 offerors who submit offers or proposals determined to be
3 reasonably susceptible of being selected for award for the
4 purpose of clarifying and assuring full understanding of and
5 responsiveness to the solicitation requirements. Those
6 offerors shall be accorded fair and equal treatment with
7 respect to any opportunity for discussion and revision of
8 proposals. Revisions may be permitted after submission and
9 before award for the purpose of obtaining best and final
10 offers. In conducting discussions there shall be no disclosure
11 of any information derived from proposals submitted by
12 competing offerors. If information is disclosed to any offeror,
13 it shall be provided to all competing offerors.

14 (g) Award. Awards shall be made to the responsible offeror
15 whose proposal is determined in writing to be the most
16 advantageous to the State, taking into consideration price and
17 the evaluation factors set forth in the request for proposals.
18 The contract file shall contain the basis on which the award is
19 made.

20 (Source: P.A. 100-43, eff. 8-9-17.)

21 (30 ILCS 500/20-60)

22 Sec. 20-60. Duration of contracts.

23 (a) Maximum duration. A contract may be entered into for
24 any period of time deemed to be in the best interests of the
25 State but not exceeding 10 years inclusive, beginning January

1 1, 2010, of proposed contract renewals. Third parties may lease
2 State-owned dark fiber networks for any period of time deemed
3 to be in the best interest of the State, but not exceeding 20
4 years. The length of a lease for real property or capital
5 improvements shall be in accordance with the provisions of
6 Section 40-25. The length of energy conservation program
7 contracts or energy savings contracts or leases shall be in
8 accordance with the provisions of Section 25-45. A contract for
9 bond or mortgage insurance awarded by the Illinois Housing
10 Development Authority, however, may be entered into for any
11 period of time less than or equal to the maximum period of time
12 that the subject bond or mortgage may remain outstanding.

13 (b) Subject to appropriation. All contracts made or entered
14 into shall recite that they are subject to termination and
15 cancellation in any year for which the General Assembly fails
16 to make an appropriation to make payments under the terms of
17 the contract.

18 (c) The chief procurement officer shall file a proposed
19 extension or renewal of a contract with the Procurement Policy
20 Board prior to entering into any extension or renewal if the
21 cost associated with the extension or renewal exceeds \$249,999.
22 The Procurement Policy Board may object to the proposed
23 extension or renewal within 30 calendar days and require a
24 hearing before the Board prior to entering into the extension
25 or renewal. If the Procurement Policy Board does not object
26 within 30 calendar days or takes affirmative action to

1 recommend the extension or renewal, the chief procurement
2 officer may enter into the extension or renewal of a contract.
3 This subsection does not apply to any emergency procurement,
4 any procurement under Article 40, or any procurement exempted
5 by Section 1-10(b) of this Code. If any State agency contract
6 is paid for in whole or in part with federal-aid funds, grants,
7 or loans and the provisions of this subsection would result in
8 the loss of those federal-aid funds, grants, or loans, then the
9 contract is exempt from the provisions of this subsection in
10 order to remain eligible for those federal-aid funds, grants,
11 or loans, and the State agency shall file notice of this
12 exemption with the Procurement Policy Board prior to entering
13 into the proposed extension or renewal. Nothing in this
14 subsection permits a chief procurement officer to enter into an
15 extension or renewal in violation of subsection (a). By August
16 1 each year, the Procurement Policy Board shall file a report
17 with the General Assembly identifying for the previous fiscal
18 year (i) the proposed extensions or renewals that were filed
19 with the Board and whether the Board objected and (ii) the
20 contracts exempt from this subsection.

21 (d) Notwithstanding the provisions of subsection (a) of
22 this Section, the Department of Innovation and Technology may
23 enter into leases for dark fiber networks for any period of
24 time deemed to be in the best interests of the State but not
25 exceeding 20 years inclusive. The Department of Innovation and
26 Technology may lease dark fiber networks from third parties

1 only for the primary purpose of providing services ~~to~~ (i) to
2 the offices of Governor, Lieutenant Governor, Attorney
3 General, Secretary of State, Comptroller, or Treasurer and
4 State agencies, as defined under Section 5-15 of the Civil
5 Administrative Code of Illinois or (ii) for anchor
6 institutions, as defined in Section 7 of the Illinois Century
7 Network Act. Dark fiber network lease contracts shall be
8 subject to all other provisions of this Code and any applicable
9 rules or requirements, including, but not limited to,
10 publication of lease solicitations, use of standard State
11 contracting terms and conditions, and approval of vendor
12 certifications and financial disclosures.

13 (e) As used in this Section, "dark fiber network" means a
14 network of fiber optic cables laid but currently unused by a
15 third party that the third party is leasing for use as network
16 infrastructure.

17 (f) No vendor shall be eligible for renewal of a contract
18 when that vendor has failed to meet the Business Enterprise
19 Program spending goal specified under the contract, and that
20 vendor is not otherwise excused from compliance under the
21 Business Enterprise Program Act. This subsection (f) does not
22 apply to the renewal of contracts for construction or
23 construction-related services.

24 (Source: P.A. 100-23, eff. 7-6-17; 100-611, eff. 7-20-18;
25 revised 10-11-18.)

1 (30 ILCS 500/50-85 new)

2 Sec. 50-85. Diversity training; report.

3 (a) All employees with purchasing power or the power to
4 award proposals under the Code, including State Procurement
5 Officers, Chief Procurement Officers, Agency Procurement
6 Officers, and applicable supportive personnel and staff, as
7 determined by the Chief Procurement Officer, shall complete
8 annual training for diversity and inclusion as prescribed by
9 the Chief Procurement Officer in consultation with the Business
10 Enterprise Council.

11 (b) Each Chief Procurement Officer shall submit to the
12 General Assembly an annual report that summarizes the diversity
13 training that was completed by personnel of his or her office
14 during the previous year, and lays out the plan for the
15 diversity training programs in the coming year. The report to
16 the General Assembly shall be filed with the Clerk of the House
17 of Representatives and the Secretary of the Senate in
18 electronic form only, in the manner that the Clerk and the
19 Secretary shall direct.

20 Each Chief Procurement Officer shall also submit to the
21 Executive Ethics Commission an annual report detailing the
22 current status of his or her diversity efforts, and an action
23 plan to increase diversity within his or her office.

24 Section 10. The Business Enterprise for Minorities, Women,
25 and Persons with Disabilities Act is amended by changing

1 Sections 4f and 6 as follows:

2 (30 ILCS 575/4f)

3 (Section scheduled to be repealed on June 30, 2020)

4 Sec. 4f. Award of State contracts.

5 (1) It is hereby declared to be the public policy of the
6 State of Illinois to promote and encourage each State agency
7 and public institution of higher education to use businesses
8 owned by minorities, women, and persons with disabilities in
9 the area of goods and services, including, but not limited to,
10 insurance services, investment management services,
11 information technology services, accounting services,
12 architectural and engineering services, and legal services.
13 Furthermore, each State agency and public institution of higher
14 education shall utilize such firms to the greatest extent
15 feasible within the bounds of financial and fiduciary prudence,
16 and take affirmative steps to remove any barriers to the full
17 participation of such firms in the procurement and contracting
18 opportunities afforded.

19 (a) When a State agency or public institution of higher
20 education, other than a community college, awards a
21 contract for insurance services, for each State agency or
22 public institution of higher education, it shall be the
23 aspirational goal to use insurance brokers owned by
24 minorities, women, and persons with disabilities as
25 defined by this Act, for not less than 20% of the total

1 annual premiums or fees.

2 (b) When a State agency or public institution of higher
3 education, other than a community college, awards a
4 contract for investment services, for each State agency or
5 public institution of higher education, it shall be the
6 aspirational goal to use emerging investment managers
7 owned by minorities, women, and persons with disabilities
8 as defined by this Act, for not less than 20% of the total
9 funds under management. Furthermore, it is the
10 aspirational goal that not less than 20% of the direct
11 asset managers of the State funds be minorities, women, and
12 persons with disabilities.

13 (c) When a State agency or public institution of higher
14 education, other than a community college, awards
15 contracts for information technology services, accounting
16 services, architectural and engineering services, and
17 legal services, for each State agency and public
18 institution of higher education, it shall be the
19 aspirational goal to use such firms owned by minorities,
20 women, and persons with disabilities as defined by this Act
21 and lawyers who are minorities, women, and persons with
22 disabilities as defined by this Act, for not less than 20%
23 of the total dollar amount of State contracts. In the case
24 of State contracts for architectural and engineering
25 services, the provisions of this subsection (c) requiring a
26 portion of State contracts to be awarded to businesses

1 owned and controlled by persons with disabilities do not
2 apply.

3 (d) When a community college awards a contract for
4 insurance services, investment services, information
5 technology services, accounting services, architectural
6 and engineering services, and legal services, it shall be
7 the aspirational goal of each community college to use
8 businesses owned by minorities, women, and persons with
9 disabilities as defined in this Act for not less than 20%
10 of the total amount spent on contracts for these services
11 collectively. When a community college awards contracts
12 for investment services, contracts awarded to investment
13 managers who are not emerging investment managers as
14 defined in this Act shall not be considered businesses
15 owned by minorities, women, or persons with disabilities
16 for the purposes of this Section.

17 (e) When a State agency or public institution of higher
18 education issues requests for proposals or solicitations,
19 including requests and solicitations for contracts with
20 group purchasing organizations, that fall within a service
21 or product offering that has a history of disparate awards
22 to a class of business owners that are underrepresented in
23 contract awards, it shall be the aspirational goal to use
24 service or product providers owned by minorities, women,
25 and persons with disabilities as defined by this Act for
26 not less than 20% of the total dollar amount of State

1 contracts. If the State agency or public institution of
2 higher education believes that it may be difficult to
3 achieve the minimum 20% aspirational goal, then it may
4 appear before the Council to seek a modification of the
5 goal requirement provided under this paragraph (e).

6 If any State agency or public institution of higher
7 education contract is eligible to be paid for or
8 reimbursed, in whole or in part, with federal-aid funds,
9 grants, or loans, and the provisions of this paragraph (e)
10 would result in the loss of those federal-aid funds,
11 grants, or loans, then the contract is exempt from the
12 provisions of this paragraph (e) in order to remain
13 eligible for those federal-aid funds, grants, or loans.

14 (2) As used in this Section:

15 "Accounting services" means the measurement,
16 processing and communication of financial information
17 about economic entities including, but is not limited to,
18 financial accounting, management accounting, auditing,
19 cost containment and auditing services, taxation and
20 accounting information systems.

21 "Architectural and engineering services" means
22 professional services of an architectural or engineering
23 nature, or incidental services, that members of the
24 architectural and engineering professions, and individuals
25 in their employ, may logically or justifiably perform,
26 including studies, investigations, surveying and mapping,

1 tests, evaluations, consultations, comprehensive planning,
2 program management, conceptual designs, plans and
3 specifications, value engineering, construction phase
4 services, soils engineering, drawing reviews, preparation
5 of operating and maintenance manuals, and other related
6 services.

7 "Emerging investment manager" means an investment
8 manager or claims consultant having assets under
9 management below \$10 billion or otherwise adjudicating
10 claims.

11 "Information technology services" means, but is not
12 limited to, specialized technology-oriented solutions by
13 combining the processes and functions of software,
14 hardware, networks, telecommunications, web designers,
15 cloud developing resellers, and electronics.

16 "Insurance broker" means an insurance brokerage firm,
17 claims administrator, or both, that procures, places all
18 lines of insurance, or administers claims with annual
19 premiums or fees of at least \$5,000,000 but not more than
20 \$10,000,000.

21 "Legal services" means work performed by a lawyer
22 including, but not limited to, contracts in anticipation of
23 litigation, enforcement actions, or investigations.

24 (3) Each State agency and public institution of higher
25 education shall adopt policies that identify its plan and
26 implementation procedures for increasing the use of service

1 firms owned by minorities, women, and persons with
2 disabilities.

3 (4) Except as provided in subsection (5), the Council shall
4 file no later than March 1 of each year an annual report to the
5 Governor and the General Assembly. The report to the General
6 Assembly shall be filed with the Clerk of the House of
7 Representatives and the Secretary of the Senate in electronic
8 form only, in the manner that the Clerk and the Secretary shall
9 direct ~~The report filed with the General Assembly shall be~~
10 ~~filed as required in Section 3.1 of the General Assembly~~
11 ~~Organization Act.~~ This report shall: (i) identify the service
12 firms used by each State agency and public institution of
13 higher education, (ii) identify the actions it has undertaken
14 to increase the use of service firms owned by minorities,
15 women, and persons with disabilities, including encouraging
16 non-minority-owned firms to use other service firms owned by
17 minorities, women, and persons with disabilities as
18 subcontractors when the opportunities arise, (iii) state any
19 recommendations made by the Council to each State agency and
20 public institution of higher education to increase
21 participation by the use of service firms owned by minorities,
22 women, and persons with disabilities, and (iv) include the
23 following:

24 (A) For insurance services: the names of the insurance
25 brokers or claims consultants used, the total of risk
26 managed by each State agency and public institution of

1 higher education by insurance brokers, the total
2 commissions, fees paid, or both, the lines or insurance
3 policies placed, and the amount of premiums placed; and the
4 percentage of the risk managed by insurance brokers, the
5 percentage of total commission, fees paid, or both, the
6 lines or insurance policies placed, and the amount of
7 premiums placed with each by the insurance brokers owned by
8 minorities, women, and persons with disabilities by each
9 State agency and public institution of higher education.

10 (B) For investment management services: the names of
11 the investment managers used, the total funds under
12 management of investment managers; the total commissions,
13 fees paid, or both; the total and percentage of funds under
14 management of emerging investment managers owned by
15 minorities, women, and persons with disabilities,
16 including the total and percentage of total commissions,
17 fees paid, or both by each State agency and public
18 institution of higher education.

19 (C) The names of service firms, the percentage and
20 total dollar amount paid for professional services by
21 category by each State agency and public institution of
22 higher education.

23 (D) The names of service firms, the percentage and
24 total dollar amount paid for services by category to firms
25 owned by minorities, women, and persons with disabilities
26 by each State agency and public institution of higher

1 education.

2 (E) The total number of contracts awarded for services
3 by category and the total number of contracts awarded to
4 firms owned by minorities, women, and persons with
5 disabilities by each State agency and public institution of
6 higher education.

7 (5) For community college districts, the Business
8 Enterprise Council shall only report the following information
9 for each community college district: (i) the name of the
10 community colleges in the district, (ii) the name and contact
11 information of a person at each community college appointed to
12 be the single point of contact for vendors owned by minorities,
13 women, or persons with disabilities, (iii) the policy of the
14 community college district concerning certified vendors, (iv)
15 the certifications recognized by the community college
16 district for determining whether a business is owned or
17 controlled by a minority, woman, or person with a disability,
18 (v) outreach efforts conducted by the community college
19 district to increase the use of certified vendors, (vi) the
20 total expenditures by the community college district in the
21 prior fiscal year in the divisions of work specified in
22 paragraphs (a), (b), and (c) of subsection (1) of this Section
23 and the amount paid to certified vendors in those divisions of
24 work, and (vii) the total number of contracts entered into for
25 the divisions of work specified in paragraphs (a), (b), and (c)
26 of subsection (1) of this Section and the total number of

1 contracts awarded to certified vendors providing these
2 services to the community college district. The Business
3 Enterprise Council shall not make any utilization reports under
4 this Act for community college districts for Fiscal Year 2015
5 and Fiscal Year 2016, but shall make the report required by
6 this subsection for Fiscal Year 2017 and for each fiscal year
7 thereafter. The Business Enterprise Council shall report the
8 information in items (i), (ii), (iii), and (iv) of this
9 subsection beginning in September of 2016. The Business
10 Enterprise Council may collect the data needed to make its
11 report from the Illinois Community College Board.

12 (6) The status of the utilization of services shall be
13 discussed at each of the regularly scheduled Business
14 Enterprise Council meetings. Time shall be allotted for the
15 Council to receive, review, and discuss the progress of the use
16 of service firms owned by minorities, women, and persons with
17 disabilities by each State agency and public institution of
18 higher education; and any evidence regarding past or present
19 racial, ethnic, or gender-based discrimination which directly
20 impacts a State agency or public institution of higher
21 education contracting with such firms. If after reviewing such
22 evidence the Council finds that there is or has been such
23 discrimination against a specific group, race or sex, the
24 Council shall establish sheltered markets or adjust existing
25 sheltered markets tailored to address the Council's specific
26 findings for the divisions of work specified in paragraphs (a),

1 (b), and (c) of subsection (1) of this Section.

2 (Source: P.A. 99-462, eff. 8-25-15; 99-642, eff. 7-28-16;
3 100-391, eff. 8-25-17.)

4 (30 ILCS 575/6) (from Ch. 127, par. 132.606)

5 (Section scheduled to be repealed on June 30, 2020)

6 Sec. 6. Agency compliance plans. Each State agency and
7 public institutions of higher education under the jurisdiction
8 of this Act shall file with the Council an annual compliance
9 plan which shall outline the goals of the State agency or
10 public institutions of higher education for contracting with
11 businesses owned by minorities, women, and persons with
12 disabilities for the then current fiscal year, the manner in
13 which the agency intends to reach these goals and a timetable
14 for reaching these goals. The Council shall review and approve
15 the plan of each State agency and public institutions of higher
16 education and may reject any plan that does not comply with
17 this Act or any rules or regulations promulgated pursuant to
18 this Act.

19 (a) The compliance plan shall also include, but not be
20 limited to, (1) a policy statement, signed by the State agency
21 or public institution of higher education head, expressing a
22 commitment to encourage the use of businesses owned by
23 minorities, women, and persons with disabilities, (2) the
24 designation of the liaison officer provided for in Section 5 of
25 this Act, (3) procedures to distribute to potential contractors

1 and vendors the list of all businesses legitimately classified
2 as businesses owned by minorities, women, and persons with
3 disabilities and so certified under this Act, (4) procedures to
4 set separate contract goals on specific prime contracts and
5 purchase orders with subcontracting possibilities based upon
6 the type of work or services and subcontractor availability,
7 (5) procedures to assure that contractors and vendors make good
8 faith efforts to meet contract goals, (6) procedures for
9 contract goal exemption, modification and waiver, and (7) the
10 delineation of separate contract goals for businesses owned by
11 minorities, women, and persons with disabilities.

12 (b) Approval of the compliance plans shall include such
13 delegation of responsibilities to the requesting State agency
14 or public institution of higher education as the Council deems
15 necessary and appropriate to fulfill the purpose of this Act.
16 Such responsibilities may include, but need not be limited to
17 those outlined in subsections (1), (2) and (3) of Section 7,
18 paragraph (a) of Section 8, and Section 8a of this Act.

19 (c) Each State agency and public institution of higher
20 education under the jurisdiction of this Act shall file with
21 the Council an annual report of its utilization of businesses
22 owned by minorities, women, and persons with disabilities
23 during the preceding fiscal year including lapse period
24 spending and a mid-fiscal year report of its utilization to
25 date for the then current fiscal year. The reports shall
26 include a self-evaluation of the efforts of the State agency or

1 public institution of higher education to meet its goals under
2 the Act, as well as a plan to increase the diversity of the
3 vendors engaged in contracts with the State agency of public
4 institution of higher education, with a particular focus on
5 those most underrepresented in contract awards.

6 (d) Notwithstanding any provisions to the contrary in this
7 Act, any State agency or public institution of higher education
8 which administers a construction program, for which federal law
9 or regulations establish standards and procedures for the
10 utilization of minority-owned and women-owned businesses and
11 disadvantaged businesses, shall implement a disadvantaged
12 business enterprise program to include minority-owned and
13 women-owned businesses and disadvantaged businesses, using the
14 federal standards and procedures for the establishment of goals
15 and utilization procedures for the State-funded, as well as the
16 federally assisted, portions of the program. In such cases,
17 these goals shall not exceed those established pursuant to the
18 relevant federal statutes or regulations. Notwithstanding the
19 provisions of Section 8b, the Illinois Department of
20 Transportation is authorized to establish sheltered markets
21 for the State-funded portions of the program consistent with
22 federal law and regulations. Additionally, a compliance plan
23 which is filed by such State agency or public institution of
24 higher education pursuant to this Act, which incorporates
25 equivalent terms and conditions of its federally-approved
26 compliance plan, shall be deemed approved under this Act.

1 (Source: P.A. 99-462, eff. 8-25-15; 100-391, eff. 8-25-17.)".