



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

**HB4094**

Introduced 5/26/2021, by Rep. William Davis

#### SYNOPSIS AS INTRODUCED:

20 ILCS 405/405-545 new

Amends the Department of Central Management Services Law of the Civil Administrative Code of Illinois. Provides that all projects put out for competitive bid by municipalities with a population greater than 60,000 that are funded wholly or in part by State funds shall be considered State projects for purposes of the Business Enterprise Program Act or the Disadvantaged Business Enterprise program. Provides that affected municipalities shall be required to list the existing aspirational goals in all contract proposals and shall require all prime contractors to submit a utilization plan with their bid. Provides that all entities eligible to work as part of either the State's Business Enterprise Program or Disadvantaged Business Enterprise Program on State contracts as a disadvantaged-owned, minority-owned, woman-owned, or veteran-owned business shall be eligible to participate as part of satisfying the aspirational goals for the municipal projects. Provides that nothing shall require a municipality to undertake specified actions related to aspirational goals and utilization plans. Provides that any municipality subject to the requirements must publish on its website all submitted utilization plans from the winning bidder and maintain those utilization plans for at least 5 years. Makes other changes.

LRB102 18645 RJF 27018 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. This Act may be referred to as the Existing  
5 Aspirational Goals on State-Funded Projects by Large  
6 Municipalities Act.

7 Section 5. The Department of Central Management Services  
8 Law of the Civil Administrative Code of Illinois is amended by  
9 adding Section 405-545 as follows:

10 (20 ILCS 405/405-545 new)

11 Sec. 405-545. Municipal aspirational goals on State-funded  
12 projects.

13 (a) All projects put out for competitive bid by  
14 municipalities with a population greater than 60,000 that are  
15 funded wholly or in part by State funds shall be considered  
16 State projects for purposes of the Business Enterprise Program  
17 Act or, if a transportation project, a State project of the  
18 Department of Transportation for purposes of the Disadvantaged  
19 Business Enterprise program.

20 (b) All existing State aspirational goals for projects as  
21 justified by existing disparity studies shall apply to  
22 projects under this Section.

1       (c) Affected municipalities shall be required to list the  
2 existing aspirational goals in all contract proposals and  
3 shall require all prime contractors to submit a utilization  
4 plan with their bid. The municipality may select which State  
5 agency's utilization plan is most appropriate for each  
6 contract.

7       (d) All entities eligible to work as part of either the  
8 State's Business Enterprise Program or Disadvantaged Business  
9 Enterprise Program on State contracts as a  
10 disadvantaged-owned, minority-owned, woman-owned, or  
11 veteran-owned business shall be eligible to participate as  
12 part of satisfying the aspirational goals for the municipal  
13 projects.

14       (e) Nothing in the Section shall require a municipality to  
15 conduct a disparity study, certify businesses as eligible to  
16 participate in the program, grant waivers, determine whether  
17 the utilization plan reflects a good faith effort to comply  
18 with this provision, or otherwise put a prime contractor at a  
19 bidding disadvantage based on the contents of the utilization  
20 plan.

21       (f) Any municipality subject to the requirements of this  
22 Section must publish on its website all submitted utilization  
23 plans from the winning bidder and maintain those utilization  
24 plans for at least 5 years.