

Board Meeting
September 23, 2010

REVISED

APPROVE RESOLUTION CONCERNING GOALS FOR BUSINESS ENTERPRISE
PARTICIPATION IN CONSTRUCTION CONTRACT AWARDS

WHEREAS, the Board of Trustees has strongly and consistently supported diversity among its vendors; and

WHEREAS, the State of Illinois General Assembly in 1994 enacted the Business Enterprise for Minorities, Females and Persons with Disabilities Act (MAFBE Act) (30 ILCS 575 et seq.) “to promote and encourage the continuing economic development of minority and female owned and operated businesses” and “businesses owned by persons with disabilities” through participation in the State’s procurement processes; and

WHEREAS, according to the MAFBE Act, the State of Illinois “has observed that the goals established in this Act have served to increase the participation of minority and female businesses in contracts awarded by the State”; and

WHEREAS, as authorized by and pursuant to the MAFBE Act, the Business Enterprise Program (BEP) has been created and is operated by the State of Illinois to promote the economic development of diverse businesses; and

WHEREAS, to be certified as a diverse business under BEP, a business entity must be at least fifty-one percent owned and controlled by persons who are

minorities, women or designated as disabled; owners must be ~~United States citizens or resident aliens~~ **a citizen or lawful permanent resident of the United States**; and, the business entity's annual gross sales over the tax year must be less than \$75.0 million; and

WHEREAS, the Board continues to seek an increase in current levels of diverse business participation in University procurement and desires to implement policies and procurement processes to foster increased diverse business participation in University construction contract awards.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board hereby establishes high aspiration diverse business enterprise participation goals based on the total value of construction contracts awarded in a given fiscal year as follows for the University's respective campuses: 22 percent for the University of Illinois at Chicago; and 15 percent for the University of Illinois at Urbana-Champaign, the University of Illinois at Springfield, and the Rockford and Peoria medical campuses; and
2. The Board delegates to the President authority to develop and implement policies and procedures deemed most likely to successfully attain the high aspiration participation goals set by the Board; and
3. In the development and implementation of these policies and procedures, the President and appropriate University administrators are encouraged to monitor, review, and evaluate legislative enactments and diverse business policies and programs adopted by other state entities, including the judicial review of any such policies and programs; and
4. The Board requests that it receive from the President, on a quarterly basis, a report describing diverse business participation and an annual summary of participation and University outreach efforts; and

5. The Board directs that this effort be undertaken immediately.

The Board action recommended in this item complies in all material respects with applicable State and federal laws, University of Illinois *Statutes, The General Rules Concerning University Organization and Procedure*, and Board of Trustees policies and directives.

The President of the University concurs.