



CPO NOTICE 2022.03 HIGHER EDUCATION

To: University Procurement Staff
State Purchasing Officers

From: John Donato 
Chief Procurement Officer – Higher Education

Date: March 3, 2022

Subject: BEP Goal Waiver Requirements

This CPO Notice Amends the following paragraphs in CPO Notice 2021.01. All other sections remain in effect.

The Business Enterprise for Minorities, Women, and Persons with Disabilities (BEP) Act, 30 ILCS 575, provides, "The State of Illinois declares that it is the public policy of the State to promote and encourage the continuing economic development of minority-owned and women-owned and operated businesses and that minority-owned and women-owned and operated businesses participate in the State's procurement process as both prime and subcontractors." Section 575/4, provides, "...not less than 30% of the total dollar amount of State contracts, as defined by the Secretary of the Council and approved by the Council, shall be established as an aspirational goal to be awarded to businesses owned by minorities, women, and persons with disabilities; provided, however, that of the total amount of all State contracts awarded to businesses owned by minorities, women, and persons with disabilities pursuant to this Section, contracts representing at least 16% shall be awarded to businesses owned by minorities, contracts representing at least 10% shall be awarded to women-owned businesses, and contracts representing at least 4% shall be awarded to businesses owned by persons with disabilities." 30 ILCS 575/4.

Pursuant to Section 575/8i(d), the public institutions of higher education shall also, "review renewals at least 6 months prior to the renewal to allow adequate time to rebid if it is determined that the prime contractor has not demonstrated good faith efforts towards meeting the contract goal." 30 ILCS 575/8i(d). The Chief Procurement Officer for Higher Education encourages the universities to start this process at least one (1) year prior to renewal in the event that a new competitive bid must be issued. Failure to do so may cause a lapse in services.



Public Act 102-0029 amends Section 20-60(f) to the Illinois Procurement Code and provides that "no vendor shall be eligible for renewal of a contract when that vendor has failed to meet the goals agreed to in the vendor's utilization plan ... unless the State agency [university] has determined that the vendor made good faith efforts towards meeting the contract goals. If the State agency [university] determines that the vendor made good faith efforts, the agency [university] may issue a waiver after concurrence by the chief procurement officer. The form and content of the waiver shall be prescribed by each chief procurement officer who shall maintain on his or her official website a database of waivers granted under this Section with respect to contracts under his or her jurisdiction." 30 ILCS 500/20-60(f).

If there are any questions regarding this notice, please ask your State Purchasing Officer or contact the Chief Procurement Office at (217) 720-6229.

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