**Section 750.210 Eligibility for Public Contracts**

a) DHR Registration Requirement

1) Duty to Register. Persons seeking to establish eligibility status to be awarded a contract by a State agency must register with the Department. The requirements of this Section shall apply to all persons employing 15 or more individuals at any time during the 365 day period immediately preceding the date of filing. No such employer shall be eligible to be awarded a contract by a State agency, as defined in the Illinois Procurement Code [30 ILCS 500/1-15.100], unless that employer has registered with the Department and holds a valid Illinois Department of Human Rights Eligibility Number. This registration with the Department must take place prior to bid opening, if a bidding or competitive selection procedure is required under the Illinois Procurement Code or, in all other cases, contract award.

2) How to Register. Persons may register by filing a properly completed DHR Employer Report Form (Form PC-1) with the Department and paying the registration fee, or by completing the on-line filing process available through the Department's website at www.Illinois.gov/dhr. Persons covered under this Section may obtain a DHR Employer Report Forms by writing to the Public Contracts Unit, Department of Human Rights, 100 W. Randolph Street, Suite 10-100, Chicago IL 60601, by accessing the Department's website at www.Illinois.gov/dhr, or by TTY at (866)740-3953. A DHR Employer Report Form shall be deemed filed when it is received in the Department's Chicago office, properly completed and signed, and the Department receives the $75 registration fee or when the applicant completes the Department's on-line filing process.

3) Registration Fee. A DHR Employer Report Form, whether it is a renewal or an initial filing, will not be deemed filed unless it is accompanied by a registration fee of $75. Persons registering by submitting a DHR Employer Report Form must submit payment with their DHR Employer Report Form, in the form of a certified check, money order or cashier's check payable to "Department of Human Rights", to the Department of Human Rights, ATTN: Fiscal Unit, 100 West Randolph Street, Suite 10-100, Chicago, Illinois 60601. Persons registering electronically through the Department's on-line filing process must make payment by Visa, MasterCard, Discover or American Express. Each DHR Employer Report Form containing a separate Federal Employer Identification Number (FEIN) shall be accompanied by a separate $75 fee. The Number or FEIN of the covered person filing the DHR Employer Report Form shall appear on the certified check, money order or cashier's check. The $75 fee is non-refundable.

b) Each person who registers pursuant to subsection (a) shall be issued a Number as evidence of its eligibility to bid on, or be awarded, public contracts. Each Number shall expire five years from the date of issue, without further notice to the employer. At any time prior to the expiration date, the Department may suspend or revoke the Number in accordance with the Act or this Part. The Number shall also expire upon dissolution, sale or merger of the public contractor or eligible bidder. Each person who has an expired Number and who files a completed form pursuant to subsection (a) will receive the same Number that the Department previously issued only if the form is filed within 365 days after expiration of the Number.

c) If the Department finds that a public contractor or eligible bidder is underutilizing minorities and/or women in any job classification, as defined in Section 750.120, it shall require the submission of an acceptable affirmative action plan.

1) After submitting an acceptable plan, the contractor or eligible bidder shall file such reports as the Department may require to document the contractor's progress under the plan. The Department may require that these reports contain information that includes, but is not limited to, the contractor's or eligible bidder's:

A) identification of underutilization (as required in Section 750.120);

B) hiring and promotional goals and timetables;

C) personnel policies and procedures;

D) personnel outreach and recruitment efforts;

E) personnel transactions (including hires, promotions, discharges, layoffs and disciplinary actions);

F) employee compensation and benefits;

G) sexual harassment prevention policies and procedures;

H) allegations of unlawful discrimination (as defined in Section 750.110(a)); and

I) compliance with any specific commitments made by the contractor or eligible bidder in its plan.

2) The Department may require a contractor or eligible bidder to file these reports until such time as the underutilization has been eliminated, but no more than quarterly.

d) A public contractor or eligible bidder may voluntarily relinquish its Number by so notifying the Department in writing addressed to the Department's Chicago office. Each public contractor or eligible bidder must notify the Department in writing of any change of address or other information necessary for the Department to readily contact it.

e) A public contractor or eligible bidder that cannot be located by the Department, does not respond to a written inquiry sent to its last known address, or does not respond to a notice published in the Illinois Procurement Bulletin (see 30 ILCS 500/15-1) and/or in other publications of general circulation may be deemed to have relinquished its Number.

f) A written request of a contracting agency for an exemption shall state the specific reasons for the exemption. The Department may exempt any person from the requirements of subsection (a) when it deems that exceptional circumstances and the public interest so require. An exemption shall be granted for a specified purpose and duration but may be withdrawn by the Department at any time; provided, however, that the withdrawal shall not apply to contracts awarded prior to the withdrawal.

g) The requirements of subsection (a) shall not apply to:

1) State agencies, boards and commissions required to file affirmative action plans with the Department pursuant to 56 Ill. Adm. Code 2520.710;

2) persons located wholly outside the territorial boundaries of the United States and who have no employees in the United States and will not hire employees in the United States to perform any part of any public contract;

3) procurements designated as small purchases pursuant to 30 ILCS 500/20-20;

4) procurements designated as sole-source pursuant to 30 ILCS 500/20-25; and

5) procurements designated as emergency pursuant to 30 ILCS 500/20-30.

(Source: Amended at 37 Ill. Reg. 5706, effective July 1, 2013)