**Section 750.220 Construction Employee Utilization Projection**

a) All bidders on construction contracts subject to the requirements of the Illinois Purchasing Act (Ill. Rev. Stat. ch. 127, pars. 132.1 et seq., as hereafter amended) shall complete and submit along with and as part of their bids, a Bidder's Employee Utilization Form – Construction (Form PC-2) setting forth a projection and breakdown of the total workforce intended to be hired and/or allocated to such contract work by the bidder including a projection of minority and female employee utilization in all job classifications on the contract project. A contracting agency may, however, with the approval of the Department, modify the Form PC-2 for use with some or all of its contracts without impairing compliance with this Section.

b) The contracting agency letting such a contract shall review the Employee Utilization Form, and workforce projections contained therein, of the contract awardee to determine if such projections reflect an underutilization of minority persons and/or women in any job classification in accordance with the Equal Employment Opportunity Clause and Section 750.120 of this Part. If it is determined that the contract awardee's projections reflect an underutilization of minority persons and/or women in any job classification, the agency shall confer and negotiate with the awardee to obtain satisfactory projections as a prerequisite to commencement of the contract work. The awardee may be required to develop an acceptable written affirmative action plan to correct such underutilization including a specific timetable geared to the completion stages of the contract.

c) The contracting agency shall provide to the Department a copy of the contract awardee's Employee Utilization Form, including any revisions as may be negotiated by the agency and a copy of any required written affirmative action plan. The Department may review and revise any action taken by the contracting agency with respect to the requirements of this Section; provided that the Department may from time to time enter into agreements with individual contracting agencies whose compliance programs meet with its approval whereby utilization projections accepted by such agencies shall be accorded substantial weight by the Department. A contractor's utilization projections approved under this Section shall constitute goals which the contractor shall make all good faith efforts to achieve, but such goals may be subject to later revision among the parties to reflect fluctuations in the available minority and female labor forces.

d) Upon the written request of a contracting agency, which request shall state the reasons therefor, the Department may exempt any person from the requirements of subsection (a) of this Section when it deems that exceptional circumstances and the public interest so require. Such exemption shall be granted for a specified purpose and duration but may be withdrawn by the Department at any time; provided however, that such withdrawal of exemption shall not apply to contracts awarded prior to the withdrawal.