

1 AMENDMENT TO HOUSE BILL 847

2 AMENDMENT NO. _____. Amend House Bill 847 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Metropolitan Pier and Exposition
5 Authority Act is amended by changing Section 23.1 as follows:

6 (70 ILCS 210/23.1) (from Ch. 85, par. 1243.1)

7 Sec. 23.1. Affirmative action.

8 (a) The Authority shall, within 90 days after the
9 effective date of this amendatory Act of 1984, establish and
10 maintain an affirmative action program designed to promote
11 equal employment opportunity and eliminate the effects of
12 past discrimination. Such program shall include a plan,
13 including timetables where appropriate, which shall specify
14 goals and methods for increasing participation by women and
15 minorities in employment by the Authority and by parties
16 which contract with the Authority. The Authority shall submit
17 a detailed plan with the General Assembly prior to September
18 1 of each year. Such program shall also establish procedures
19 and sanctions (including debarment), which the Authority
20 shall enforce to ensure compliance with the plan established
21 pursuant to this Section and with State and federal laws and
22 regulations relating to the employment of women and

1 minorities. A determination by the Authority as to whether a
2 party to a contract with the Authority has achieved the goals
3 or employed the methods for increasing participation by women
4 and minorities shall be determined in accordance with the
5 terms of such contracts or the applicable provisions of rules
6 and regulations of the Authority existing at the time such
7 contract was executed, including any provisions for
8 consideration of good faith efforts at compliance which the
9 Authority may reasonably adopt.

10 (b) The Authority shall adopt and maintain minority and
11 female owned business enterprise procurement programs under
12 the affirmative action program described in subsection (a)
13 for any and all work undertaken by the Authority. That work
14 shall include, but is not limited to, the purchase of
15 professional services, construction services, supplies,
16 materials, and equipment. The programs shall establish goals
17 of awarding not less than 25% of the annual dollar value of
18 all contracts, purchase orders, or other agreements
19 (collectively referred to as "contracts") to minority owned
20 businesses and 5% of the annual dollar value of all contracts
21 to female owned businesses. Without limiting the generality
22 of the foregoing, the programs shall require in connection
23 with the prequalification or consideration of vendors for
24 professional service contracts, construction contracts, and
25 contracts for supplies, materials, equipment, and services
26 that each proposer or bidder submit as part of his or her
27 proposal or bid a commitment detailing how he or she will
28 expend 25% or more of the dollar value of his or her
29 contracts with one or more minority owned businesses and 5%
30 or more of the dollar value with one or more female owned
31 businesses. Bids or proposals that do not include such
32 detailed commitments are not responsive and shall be rejected
33 unless the Authority deems it appropriate to grant a waiver
34 of these requirements. In addition the Authority may, in

1 connection with the selection of providers of professional
2 services, reserve the right to select a minority or female
3 owned business or businesses to fulfill the commitment to
4 minority and female business participation. The commitment
5 to minority and female business participation may be met by
6 the contractor or professional service provider's status as a
7 minority or female owned business, by joint venture or by
8 subcontracting a portion of the work with or purchasing
9 materials for the work from one or more such businesses, or
10 by any combination thereof. Each contract shall require the
11 contractor or provider to submit a certified monthly report
12 detailing the status of that contractor or provider's
13 compliance with the Authority's minority and female owned
14 business enterprise procurement program. The Authority,
15 after reviewing the monthly reports of the contractors and
16 providers, shall compile a comprehensive report regarding
17 compliance with this procurement program and file it
18 quarterly with the General Assembly. If, in connection with
19 a particular contract, the Authority determines that it is
20 impracticable or excessively costly to obtain minority or
21 female owned businesses to perform sufficient work to fulfill
22 the commitment required by this subsection, the Authority
23 shall reduce or waive the commitment in the contract, as may
24 be appropriate. The Authority shall establish rules and
25 regulations setting forth the standards to be used in
26 determining whether or not a reduction or waiver is
27 appropriate. The terms "minority owned business" and "female
28 owned business" have the meanings given to those terms in the
29 Business Enterprise for Minorities, Females, and Persons with
30 Disabilities Act.

31 (c) The Authority shall adopt and maintain an
32 affirmative action program in connection with the hiring of
33 minorities and women on the Expansion Project and on any and
34 all construction projects undertaken by the Authority. The

1 program shall be designed to promote equal employment
2 opportunity and shall specify the goals and methods for
3 increasing the participation of minorities and women in a
4 representative mix of job classifications required to perform
5 the respective contracts awarded by the Authority.

6 (d) In connection with the Expansion Project, the
7 Authority shall incorporate the following elements into its
8 minority and female owned business procurement programs to
9 the extent feasible: (1) a major contractors program that
10 permits minority owned businesses and female owned businesses
11 to bear significant responsibility and risk for a portion of
12 the project; (2) a mentor/protege program that provides
13 financial, technical, managerial, equipment, and personnel
14 support to minority owned businesses and female owned
15 businesses; (3) an emerging firms program that includes
16 minority owned businesses and female owned businesses that
17 would not otherwise qualify for the project due to
18 inexperience or limited resources; (4) a small projects
19 program that includes participation by smaller minority owned
20 businesses and female owned businesses on jobs where the
21 total dollar value is \$5,000,000 or less; and (5) a set-aside
22 program that will identify contracts requiring the
23 expenditure of funds less than \$50,000 for bids to be
24 submitted solely by minority owned businesses and female
25 owned businesses.

26 (e) The Authority is authorized to enter into agreements
27 with contractors' associations, labor unions, and the
28 contractors working on the Expansion Project to establish an
29 Apprenticeship Preparedness Training Program to provide for
30 an increase in the number of minority and female journeymen
31 and apprentices in the building trades and to enter into
32 agreements with Community College District 508 to provide
33 readiness training. The Authority is further authorized to
34 enter into contracts with public and private educational

1 institutions and persons in the hospitality industry to
2 provide training for employment in the hospitality industry.

3 (f) McCormick Place Advisory Board. There is created a
4 McCormick Place Advisory Board composed as follows: 2 members
5 shall be appointed by the Mayor of Chicago; 2 members shall
6 be appointed by the Governor; 3 2 members shall be State
7 Senators appointed by the President of the Senate; 2 members
8 shall be State Senators appointed by the Minority Leader of
9 the Senate; 3 2 members shall be State Representatives
10 appointed by the Speaker of the House of Representatives; and
11 2 members shall be State Representatives appointed by the
12 Minority Leader of the House of Representatives. ~~The terms~~
13 ~~of all previously appointed members of the Advisory Board~~
14 ~~expire on the effective date of this amendatory Act of the~~
15 ~~92nd General Assembly.~~ A State Senator or State
16 Representative member may appoint a designee to serve on the
17 McCormick Place Advisory Board in his or her absence.

18 A "member of a minority group" shall mean a person who is
19 a citizen or lawful permanent resident of the United States
20 and who is

21 (1) Black (a person having origins in any of the
22 black racial groups in Africa);

23 (2) Hispanic (a person of Spanish or Portuguese
24 culture with origins in Mexico, South or Central America,
25 or the Caribbean Islands, regardless of race);

26 (3) Asian American (a person having origins in any
27 of the original peoples of the Far East, Southeast Asia,
28 the Indian Subcontinent, or the Pacific Islands); or

29 (4) American Indian or Alaskan Native (a person
30 having origins in any of the original peoples of North
31 America).

32 Members of the McCormick Place Advisory Board shall serve
33 2-year terms and until their successors are appointed, except
34 members who serve as a result of their elected position whose

1 terms shall continue as long as they hold their designated
2 elected positions. Vacancies shall be filled by appointment
3 for the unexpired term in the same manner as original
4 appointments are made. The McCormick Place Advisory Board
5 shall elect its own chairperson.

6 Members of the McCormick Place Advisory Board shall serve
7 without compensation but, at the Authority's discretion,
8 shall be reimbursed for necessary expenses in connection with
9 the performance of their duties.

10 The McCormick Place Advisory Board shall meet quarterly,
11 or as needed, shall produce any reports it deems necessary,
12 and shall:

13 (1) Work with the Authority on ways to improve the
14 area physically and economically;

15 (2) Work with the Authority regarding potential
16 means for providing increased economic opportunities to
17 minorities and women produced indirectly or directly from
18 the construction and operation of the Expansion Project;

19 (3) Work with the Authority to minimize any
20 potential impact on the area surrounding the McCormick
21 Place Expansion Project, including any impact on minority
22 or female owned businesses, resulting from the
23 construction and operation of the Expansion Project;

24 (4) Work with the Authority to find candidates for
25 building trades apprenticeships, for employment in the
26 hospitality industry, and to identify job training
27 programs;

28 (5) Work with the Authority to implement the
29 provisions of subsections (a) through (e) of this Section
30 in the construction of the Expansion Project, including
31 the Authority's goal of awarding not less than 25% and 5%
32 of the annual dollar value of contracts to minority and
33 female owned businesses, the outreach program for
34 minorities and women, and the mentor/protege program for

1 providing assistance to minority and female owned
2 businesses.

3 (Source: P.A. 91-422, eff. 1-1-00; 92-16, eff. 6-28-01;
4 92-208, eff. 8-2-01.)".