

1 AN ACT in relation to local governments.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

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
23 minorities. A determination by the Authority as to whether a
24 party to a contract with the Authority has achieved the goals
25 or employed the methods for increasing participation by women
26 and minorities shall be determined in accordance with the
27 terms of such contracts or the applicable provisions of rules
28 and regulations of the Authority existing at the time such
29 contract was executed, including any provisions for
30 consideration of good faith efforts at compliance which the
31 Authority may reasonably adopt.

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

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

22 (c) The Authority shall adopt and maintain an
23 affirmative action program in connection with the hiring of
24 minorities and women on the Expansion Project and on any and
25 all construction projects undertaken by the Authority. The
26 program shall be designed to promote equal employment
27 opportunity and shall specify the goals and methods for
28 increasing the participation of minorities and women in a
29 representative mix of job classifications required to perform
30 the respective contracts awarded by the Authority.

31 (d) In connection with the Expansion Project, the
32 Authority shall incorporate the following elements into its
33 minority and female owned business procurement programs to
34 the extent feasible: (1) a major contractors program that

1 permits minority owned businesses and female owned businesses
2 to bear significant responsibility and risk for a portion of
3 the project; (2) a mentor/protege program that provides
4 financial, technical, managerial, equipment, and personnel
5 support to minority owned businesses and female owned
6 businesses; (3) an emerging firms program that includes
7 minority owned businesses and female owned businesses that
8 would not otherwise qualify for the project due to
9 inexperience or limited resources; (4) a small projects
10 program that includes participation by smaller minority owned
11 businesses and female owned businesses on jobs where the
12 total dollar value is \$5,000,000 or less; and (5) a set-aside
13 program that will identify contracts requiring the
14 expenditure of funds less than \$50,000 for bids to be
15 submitted solely by minority owned businesses and female
16 owned businesses.

17 (e) The Authority is authorized to enter into agreements
18 with contractors' associations, labor unions, and the
19 contractors working on the Expansion Project to establish an
20 Apprenticeship Preparedness Training Program to provide for
21 an increase in the number of minority and female journeymen
22 and apprentices in the building trades and to enter into
23 agreements with Community College District 508 to provide
24 readiness training. The Authority is further authorized to
25 enter into contracts with public and private educational
26 institutions and persons in the hospitality industry to
27 provide training for employment in the hospitality industry.

28 (f) McCormick Place Advisory Board. There is created a
29 McCormick Place Advisory Board composed as follows: 2 members
30 shall be appointed by the Mayor of Chicago; 2 members shall
31 be appointed by the Governor; 4 2 members shall be State
32 Senators appointed by the President of the Senate; 4 2
33 members shall be State Senators appointed by the Minority
34 Leader of the Senate; 4 2 members shall be State

1 Representatives appointed by the Speaker of the House of
2 Representatives; and 4 2 members shall be State
3 Representatives appointed by the Minority Leader of the House
4 of Representatives. ~~The terms of all previously appointed~~
5 ~~members of the Advisory Board expire on the effective date of~~
6 ~~this amendatory Act of the 92nd General Assembly.~~ A State
7 Senator or State Representative member may appoint a designee
8 to serve on the McCormick Place Advisory Board in his or her
9 absence.

10 A "member of a minority group" shall mean a person who is
11 a citizen or lawful permanent resident of the United States
12 and who is

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

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

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

21 (4) American Indian or Alaskan Native (a person
22 having origins in any of the original peoples of North
23 America).

24 Members of the McCormick Place Advisory Board shall serve
25 2-year terms and until their successors are appointed, except
26 members who serve as a result of their elected position whose
27 terms shall continue as long as they hold their designated
28 elected positions. Vacancies shall be filled by appointment
29 for the unexpired term in the same manner as original
30 appointments are made. The McCormick Place Advisory Board
31 shall elect its own chairperson.

32 Members of the McCormick Place Advisory Board shall serve
33 without compensation but, at the Authority's discretion,
34 shall be reimbursed for necessary expenses in connection with

1 the performance of their duties.

2 The McCormick Place Advisory Board shall meet quarterly,
3 or as needed, shall produce any reports it deems necessary,
4 and shall:

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

7 (2) Work with the Authority regarding potential
8 means for providing increased economic opportunities to
9 minorities and women produced indirectly or directly from
10 the construction and operation of the Expansion Project;

11 (3) Work with the Authority to minimize any
12 potential impact on the area surrounding the McCormick
13 Place Expansion Project, including any impact on minority
14 or female owned businesses, resulting from the
15 construction and operation of the Expansion Project;

16 (4) Work with the Authority to find candidates for
17 building trades apprenticeships, for employment in the
18 hospitality industry, and to identify job training
19 programs;

20 (5) Work with the Authority to implement the
21 provisions of subsections (a) through (e) of this Section
22 in the construction of the Expansion Project, including
23 the Authority's goal of awarding not less than 25% and 5%
24 of the annual dollar value of contracts to minority and
25 female owned businesses, the outreach program for
26 minorities and women, and the mentor/protege program for
27 providing assistance to minority and female owned
28 businesses.

29 (Source: P.A. 91-422, eff. 1-1-00; 92-16, eff. 6-28-01;
30 92-208, eff. 8-2-01.)