

DIVERSE VENDOR ENTERPRISE USE

Rock Valley College recognizes the importance of increasing the participation of businesses owned by minorities, females, and persons with disabilities in public contracts in an effort to overcome the discrimination and victimization such firms have historically encountered. It is the College's policy to promote the economic development of businesses owned by minorities, females and persons with disabilities by setting aspirational goals to award contracts to businesses owned by minorities, females, and persons with disabilities for certain services as provided by the Business Enterprise for Minorities, Females and Persons with Disabilities Act, 30 ILCS 575 (the Act) and the Business Enterprise Council for Minorities, Females, and Persons with Disabilities.

It is the intent of the State of Illinois that public agencies, including community colleges, aspire to award upwards of 20% of contracts to minority, female, or disabled-owned business enterprises. In support of this policy, the College shall establish and maintain procedures to encourage the use of businesses owned by minorities, women, and persons with disabilities in accordance with the Act.

Reference: Board Report #7326, #7333, #7795

Adopted: (First Reading 08/23/2016), 09/27/2016, 03/23/2021

**ROCK VALLEY COLLEGE PROCEDURES
DIVERSE VENDOR ENTERPRISE USE**

The office of Business Services shall be the liaison between Rock Valley College and the Business Enterprise Council for Minorities, Females, and Persons with Disabilities (the Council). Business Services will oversee the planning and reporting required under state statute 30 ILCS 575.

I. Aspirational Goals:

The College shall have the following aspirational goals for awarding contracts to businesses owned by minorities, females, and persons with disabilities:

1. Construction Contracts. The College shall have an aspirational goal to award twenty percent (20%) of the total dollar amount of contracts for the repair, remodeling, renovation or construction of a building or structure (“Construction Contracts”) to qualified businesses owned by minorities and females. The College shall also have an aspirational goal that fifty percent (50%) of the total dollar amount of Construction Contracts awarded to qualified minority and female owned businesses shall be awarded to female owned businesses.
2. Professional Services Contracts. The College shall have an aspirational goal to award twenty percent (20%) of the total, collective dollar amount of contracts for insurance services, investment services, information technology services, accounting services, architectural and engineering services, and legal services (“Professional Services Contracts”) to qualified businesses owned by minorities, females and persons with disabilities. The definitions of these professional services shall be in accordance with 30 ILCS 575/4f (1) (d).
3. College Contracts. The College shall have an aspirational goal to award twenty percent (20%) of the total dollar amount of all contracts entered into by the College (“College Contracts”), except those contracts identified above, to qualified businesses owned by minorities, females and persons with disabilities. The College shall also have an aspirational goal that of the total dollar amount of all College Contracts awarded to qualified businesses owned by minorities, females, and persons with disabilities, at least eleven percent (11%) shall be awarded to businesses owned by minorities, at least seven percent (7%) shall be awarded to female owned businesses, and at least two percent (2%) shall be awarded to businesses owned by persons with disabilities.

II. Compliance Procedures:

1. Maintenance of Records. Business Services shall maintain a copy of the Business Enterprise Council’s list of certified businesses owned by minorities, females and persons with disabilities or shall have knowledge of the public availability of said list, and shall be responsible for providing the list or information about the list to any contractors and/or vendors upon request.

2. Subcontractors and Suppliers. The College's aspirational goals, as set forth above, are based on the total dollar amounts awarded to businesses owned by minorities, females, and persons with disabilities. All funds awarded to any certified subcontractors and/or suppliers shall be included for the College's aspirational goals, so long as the expenditures are direct, necessary, and proximately related to the work or service of the contract.
3. Good Faith Effort Procedures. If a bidder cannot meet the contract's aspirational goal, the bidder must document in the utilization plan its good faith efforts that could reasonably have been expected to meet the goal. The College shall consider the quality, quantity, and intensity of the bidder's efforts, and may evaluate the bidder's:
 - a. Solicitation through all reasonable and available means of certified subcontractors, suppliers, and/or vendors that have the capability to perform the work required by the contract. The bidder must solicit this interest to give certified businesses sufficient time to respond to the solicitation, must provide adequate information about the plans, specifications, and contract requirements in a timely manner, and must take appropriate steps to follow up initial solicitations.
 - b. Use of resources from the College, the Business Enterprise Council, and any other business or community groups that provide assistance in the recruitment and placement of certified businesses.
 - c. Selection of portions of the contract work to be performed by certified vendors to increase the likelihood that the goal will be achieved. This includes, where appropriate, breaking out contract work items or services into economically feasible units to facilitate participation by certified businesses, even when the bidder might otherwise prefer to perform the work or services with its own employees.
 - d. Negotiation in good faith with interested certified businesses. In order to show good faith efforts, the bidder's utilization plan shall include the names, addresses, and telephone numbers of certified businesses that were considered, and an explanation for why an agreement could not be reached.
 - e. Thorough investigation of the capabilities of certified businesses and not rejecting them as unqualified without sound reasons.
 - f. Efforts to assist interested certified businesses in obtaining contract required lines of credit, insurance, equipment, supplies, materials, or other related assistance or services.
4. Exemptions and Waivers.
 - a. Individual Contract Exemptions. In the event that the College determines that there is an insufficient number of businesses owned by minorities, females and persons with disabilities to ensure adequate competition and an expectation of reasonable prices on bids or proposals solicited for a specific contract, the College may make a written request to the Business Enterprise Council, based on the best information available at the time, requesting an exemption for that individual contract or contract package, in whole or in part. The Business

Enterprise Council shall make the determination with respect to granting the exemption. The determination shall be made prior to the advertisement for bids or solicitation of bids.

- b. Class Exemptions. In the event that the College determines that there is an insufficient number of businesses owned by minorities, females and persons with disabilities to ensure adequate competition and an expectation of reasonable prices on bids or proposals solicited for an entire class of contracts, the College may make a written request to the Business Enterprise Council, based on the best information available at the time, requesting an exemption for that entire class of contracts. The Business Enterprise Council shall make the decision with respect to granting the exemption.

III. Compliance Plans:

The office of Business Services shall submit a compliance plan to the Council annually in October. This plan shall include:

- The College's policy statement.
- Designation of the liaison.
- An outline of the fiscal year goals for contracting with MBE/FBE/DBE vendors.
- The action plan for reaching these goals. Actions may include advertising with trade associations, service organizations, minority newspapers and other appropriate media, and other organizations focused on the needs of businesses owned by minorities, females and persons with disabilities to alert potential contractors and suppliers of opportunities.
- A timetable for reaching the goals.
- The process for tracking vendors certified by the State Office of Central Management Services as MBE/FBE/DBE vendors.
- The Compliance Procedures identified above in Section II.

IV. Annual Utilization Report:

The office of Business Services shall submit a utilization report to the Council annually prior to March 1 of that year with fiscal year-to-date figures showing the degree to which certified vendors have been utilized. The report shall conform to the requirements set forth by the Council and, if permitted by the Council, shall be included on forms provided by the Illinois Community College Board. The report shall:

- Identify Rock Valley College District 511 and the appointed liaison for the institution.
- Include a copy of the policy statement.
- Include actions taken during the fiscal year to increase the use of MBE/FBE/DBE vendors.
- State any recommendations from the Council to the College for increasing the use of MBE/FBE/DBE vendors.
- Include a listing of MBE/FBE/DBE vendors used during the fiscal year, with total expenditures for each vendor.
- Include a list of certifications recognized by the College for determining whether a business is

- owned or controlled by a minority, female, or person with disability.
- Identify the total:
 - (i) amount of dollars that apply to the College's aspirational goals for Construction Contracts, Professional Services Contracts, and College Contracts as defined in the College's Aspirational Goals;
 - (ii) amount of dollars for College Construction Contracts, Professional Services Contracts, and College Contracts that were awarded to businesses owned by minorities, females, and persons with disabilities; and
 - (iii) number of contracts entered into for College Construction Contracts, Professional Services Contracts, and College Contracts.
 - Include a self-evaluation of the College's efforts to meet its Aspirational Goals

Notification of the policy, procedures, and aspirational goals to increase participation of MBE/FBE/DBE vendors will be posted to the Rock Valley College website. Documentation of the policy and procedures will be available on request from the office of Business Services. Text noting the aspirational goals for participation of MBE/FBE/DBE vendors shall be added to the invitations to bid and requests for quote or proposal as outlined in state statute 30 ILCS 575.

Vendor certification as an MBE, FBE, or DBE vendor is handled by the Business Enterprise Council for Minorities (the Council). Vendors will work directly with the Council to apply for recognition and only vendors that have successfully completed the certification process at the time of contract award will be considered as contributing to the aspirational goal. To aid in tracking and reporting, Business Services will flag vendor records on the College's enterprise system as vendors are confirmed certified with the Council.