

2023
STATE OF ILLINOIS
**VENDOR
SUMMIT**

Commission on Equity and Inclusion

Alexandria Wilson - Acting Executive Director

November 30th, 2023



The image features a large, semi-transparent seal of the State of Illinois Commission on Equity & Inclusion. The seal is circular with a blue and white color scheme. It contains a central stylized logo consisting of three interlocking curved shapes. The text "STATE OF ILLINOIS" is arched across the top, and "COMMISSION ON EQUITY & INCLUSION" is arched across the bottom. The background of the seal shows a faint image of a group of people.

CEI Background

Commissioners:

Nina Harris-Chair

Ennedy D. Rivera

Bruce Montgomery

C. Richard Costes

Benjamin Salentine

Ovelia Smith-Barton

Executive Director:

Alexandria Wilson



The 9 Pillars of focus

The Commission on Equity and Inclusion (CEI) was created through the passage of 30 ILCS 574/40-10. to expand access to state contracts for minorities, women, persons with disabilities, and veterans and assist the state in enhancing the equity and inclusion throughout its workforce. CEI's reach into state hiring and contracting is expansive and encompasses the involvement of several state agencies and commissions. CEI focuses on the following nine pillars:

The Commission on Equity and Inclusion Act 30ILCS 574/40-10

- CEI has a role in State agency and institutions of higher education procurement by facilitating and streamlining communications between the Business Enterprise Council for Minorities, Women, and Persons with Disabilities (BEP Council), the purchasing entities, the Chief Procurement Officers, and others.
- CEI creates a scoring evaluation for State agency directors, public university presidents and chancellors, and public community college presidents.
- CEI promotes and encourages the continued economic development of small businesses owned and controlled by qualified Veterans and qualified Service-Disabled Veterans pursuant to the Illinois Procurement Code 30 ILCS 500/45-57.

Authority in the Procurement Process

- CEI exercises the authority & duties under the Illinois Procurement Code 30 ILCS 500/5-7 and Executive Orders. Some of CEI's activities include but are not limited to the following:
 - ✓ Ensure that BEP Goals are established on contracts worth more than \$100,000.00 (E.O. 2018-07).
 - ✓ Conduct conflict of interest reviews on bids and offers from responsive bidders, offerors, vendors, or contractors with an annual value of more than \$50,000 dollars. (30 ILCS 500/50-35 (a)).
 - ✓ CEI may vote to review contracts for purposes of equity and inclusion.
 - ✓ CEI reviews proposals, bids, or contracts and issues a recommendation to void a contract or reject a proposal or bid based on any violation of this Code in reference to equity and inclusion(30 ILCS 500/5-7 (c,e)).

Authority in the Procurement Process cont...

- ✓ Hold public hearings on contracts concerning the implementation and administration of the Procurement Code in regards to equity and inclusion in procurement (30 ILCS 500/5.7 (d)).
- ✓ Notices of Intent to enter into sole source contracts shall be provided to CEI (30 ILCS 500/20-25 (c)). CEI reviews these transactions.
- ✓ Notice of all extensions and renewals of contracts valued at \$249,999 shall be provided to CEI (30 ILCS 500/20-60 (c)).
- ✓ Notice of all extensions of and emergency procurements and shall be provided to CEI (30 ILCS 500/20-30 (b)). CEI reviews these transactions.

Supporting the State's Diversity Efforts through Collaboration

- CEI, working with State agencies, shall provide support for diversity in State hiring.
- CEI oversees the implementation of diversity training of the State workforce.
- Provide oversight over the Business Enterprise Council and the family council and commissions: The Illinois African-American Family Commission, The Asian American Family Commission, The Illinois Latino Family Commission, and The Illinois Muslim American Advisory Council.

Legislation & Rules

- CEI proposes and submits legislative changes to increase inclusion and diversity in State government, to the Governor and the General Assembly.
- CEI participates in rule making and adopts rules necessary for the implementation and administration of the requirements of the Commission on Equity and Inclusion Act.



Business Enterprise Program & Veteran Business Program

Effective January 1, 2022, the Commission on Equity and Inclusion established jurisdiction over the functions of the Business Enterprise Council and the Business Enterprise Program (BEP) 30 ILCS 575/5.5(a) and the Veteran Business Program (VBP) PA097-0260 & 098-0307.

Business Enterprise Program Certification



Business Enterprise Program

Certification Unit Responsibilities

- Responsible for the certification of BEP Vendors.
- Maintaining a list of BEP Certified Vendors.
- Renewing Certification of BEP Vendors.
- Conducts site visits to applicant and certified businesses to verify the continuing validity of business information.

Becoming a Certified Business Enterprise Program Vendor

General Requirements:

- The business is legally authorized to transact business in the State of Illinois with one of the following legal structures:
 - Sole proprietorship, Limited Liability Company (LLC), Corporation, Limited Liability Partnership (LLP), Limited Partnership (LP), General Partnership.
 - Not-for-profit organizations are ineligible.

Becoming a Certified Business Enterprise Program Vendor

Requirements for M/WBE:

- At least 51% of the business is owned by a minority woman or person with a disability.
- At least 51% of the business is operated, and controlled by one or more minority groups, women or a persons with a disability.
- The owner must be a citizen of the United States or legal permanent alien.
- Annual gross sales under \$150 Million for BEP vendor.

Members of designated minority groups include: Black or African American, Hispanic or Latino, Asian-Pacific, Asian-Indian, Native American, and Women.



BEP Program Certifications Offered

- Full Certification
- Recognition
- Fast Track
- BE BEP

**All applications are subject to an annual confirmation of eligibility.*

Getting Started

Full Certification:

- 51% minority owned in any combination
- Control
- Citizenship status
- Under \$150 million gross sales
- Full certification has a 7-year life cycle which includes 6 no change applications

Getting Started

Recognition Certification:

- Have a valid certificate letter from any of the Illinois Unified Certification Program DBE partners:
 - Metra Rail
 - Pace
 - Chicago Transit Authority
 - City of Chicago
 - Illinois Department of transportation
- Complete an on-line application by providing the following documentation:
 - Current certificate or certificate letter
 - Singed and notarized affidavit
 - Current Business Income Taxes
 - Any licenses related to the business
 - Processing time 30 business days

Getting Started

Fast Track Certification:

- Have a valid certificate from any of the FastTrack partners:
 - Women's Business Development Center
 - Chicago Minority Supplier Development Council
 - Mid-States Minority Supplier Development Council
 - Complete an on-line application
- Documents needed:
 - Current certificate or certificate letter
 - Singed and notarized affidavit
- Processing time 7 business days

Getting Started

BE BEP Certification:

- **Have a valid certificate from any of the following BE BEP partners:**
 - City of Chicago
 - Cook County

- **Complete an online registration**
 - Documents needed:
 - None
 - Must be in good standing with host agency

- Processing time for this is seven business days

The Veteran's Business Program

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Veteran's Business Program

Certification Unit Responsibilities

- Responsible for the certification of VBP Vendors.
- Maintaining a list of VBP Certified Vendors.
- Renewing Certification of VBP Vendors.
- Conducts site visits to applicant and certified businesses to verify the continuing validity of business information.

Becoming a Certified Veterans Business Program Vendor

Requirements for Veterans:

- At least 51% of business is owned, operated, and controlled by one or more qualified service-disabled veteran or veterans.
- Applicant(s) must have valid DD214.
- Annual gross sales of less than \$75 million.
- Home office in Illinois.

Business Enterprise Program Compliance

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BEP Compliance

- Duties of the Compliance Unit
- BEP Contract Goals
- BEP Utilization Plan

Business Enterprise Program Compliance

Compliance Unit

- Review and Approval of Contract Goal Setting.
- Review and Approval of Utilization Plans.
- Publication of data on Agency, Public Institutions of Higher Education, and Community Colleges progress on annual expenditure reporting.
- Maintain a Diversity Contract Monitoring System (DCMS).

BEP Contract Goals

All contracts over \$100,000 must go through the BEP goal setting process.

Contract goals are calculated based on the number of vendors certified in the State's NIGP Codes used in determining Scopes of Work (SOW) for the contract. The goal is based on the weighted value of the SOW and BEP vendor availability calculated against the CPO-GS BidBuy database of all vendors doing business with the State.

Goals are met by BEP certified prime and subcontracting participating vendors.

NIGP Code Revisions Before BID Opening

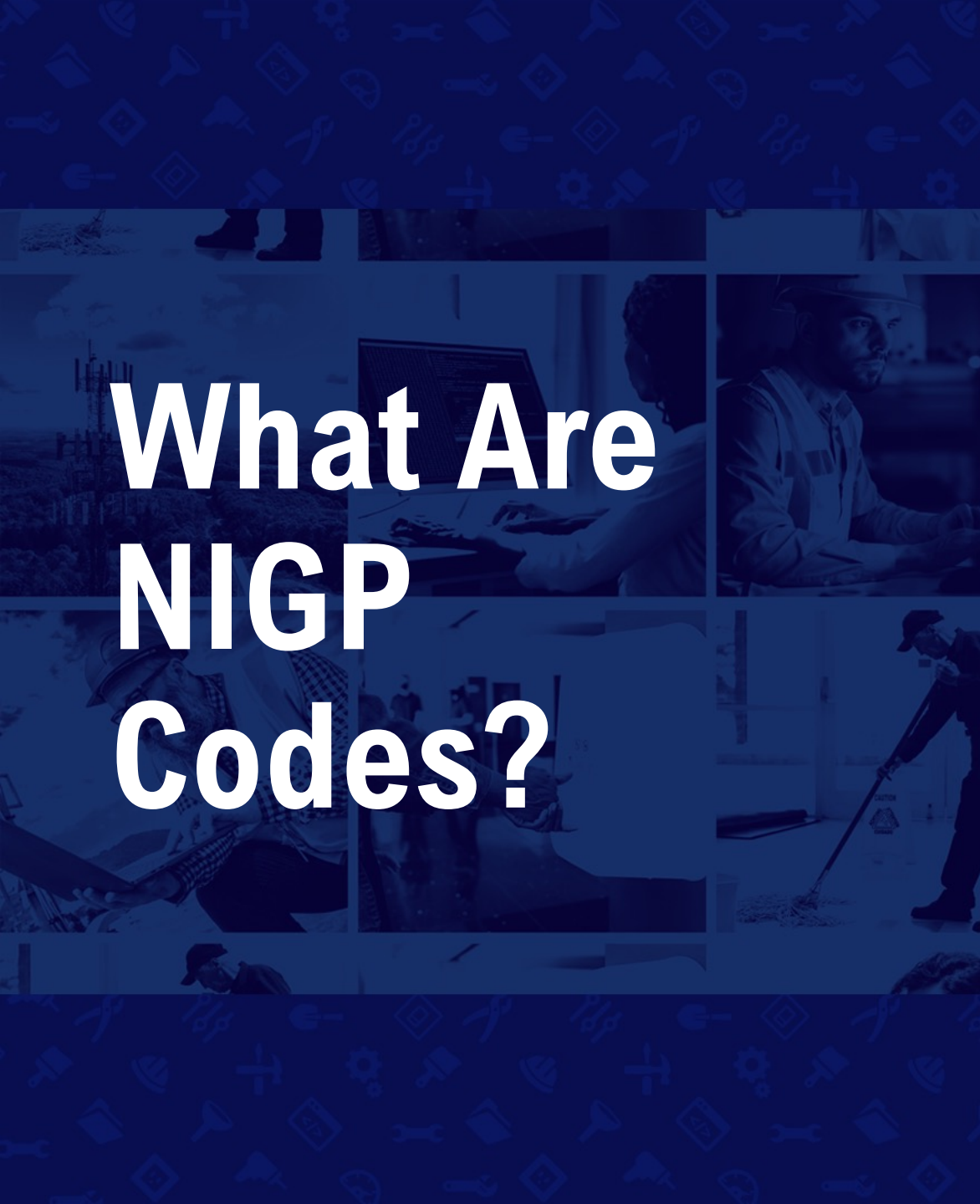


Purpose & Application of Notice 2023.3

- Notice 2023.3 provides purchasing entities clarification on the procedure for revising the five-digit NIGP class item commodity and service codes after a solicitation is published but before the bid opening date.
- Notice 2023.3 applies to:
 - Competitive sealed bids and proposals
 - Value exceeding \$100,000
 - Include a BEP and/or VBP goal
- Notice 2023.3 does not apply to procurements for construction or construction-related services.
- Revisions include adding and subtracting NIGP codes.

Benefits of Notice 2023.3

- Standardizes the inconsistent pre-bid opening NIGP code revision practices across purchasing entities.
- Improves the accuracy of the NIGP code selection and goal-setting processes.
- Maximizes BEP/VBP vendor participation.



What Are NIGP Codes?

- The NIGP Code is a standard taxonomy most state government purchasing departments use.
- A 3-digit NIGP Code is called a NIGP Class Code.
- When two additional numbers are added to the end, giving the 3-digit NIGP Class Code greater specificity, the 5-digit code is called a NIGP Class Item Code.
- When a 3-digit NIGP Class Code has two zeros (00) after the first three numbers, the code remains a Class Code despite having five numbers.

01

Identify the NIGP Code(s) for each component of the contract's scope of work.

02

Identify the approximate dollar or percentage value of the scope of work associated with each NIGP Code.

03

Determine the amount of weight each scope carries in relation to the total dollar value of the contract.

04

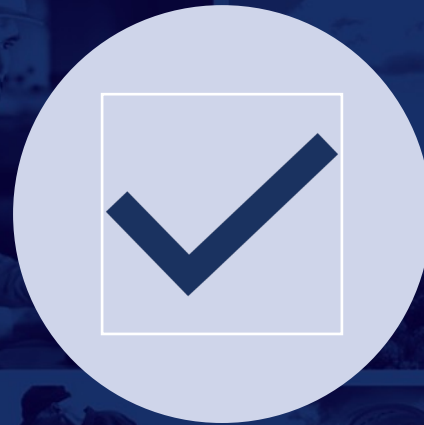
Determine the most accurate dollar or percentage weight value for each NIGP Code to enter on the BEP Project Goal Setting Form.

Why are NIGP Codes important to purchasing entities?

Why Are NIGP Codes Important To Vendors?



**TARGETED NOTIFICATIONS
AND UPDATES**



**INCREASED OPPORTUNITIES
FOR BEP/VBP VENDOR
SELECTION**



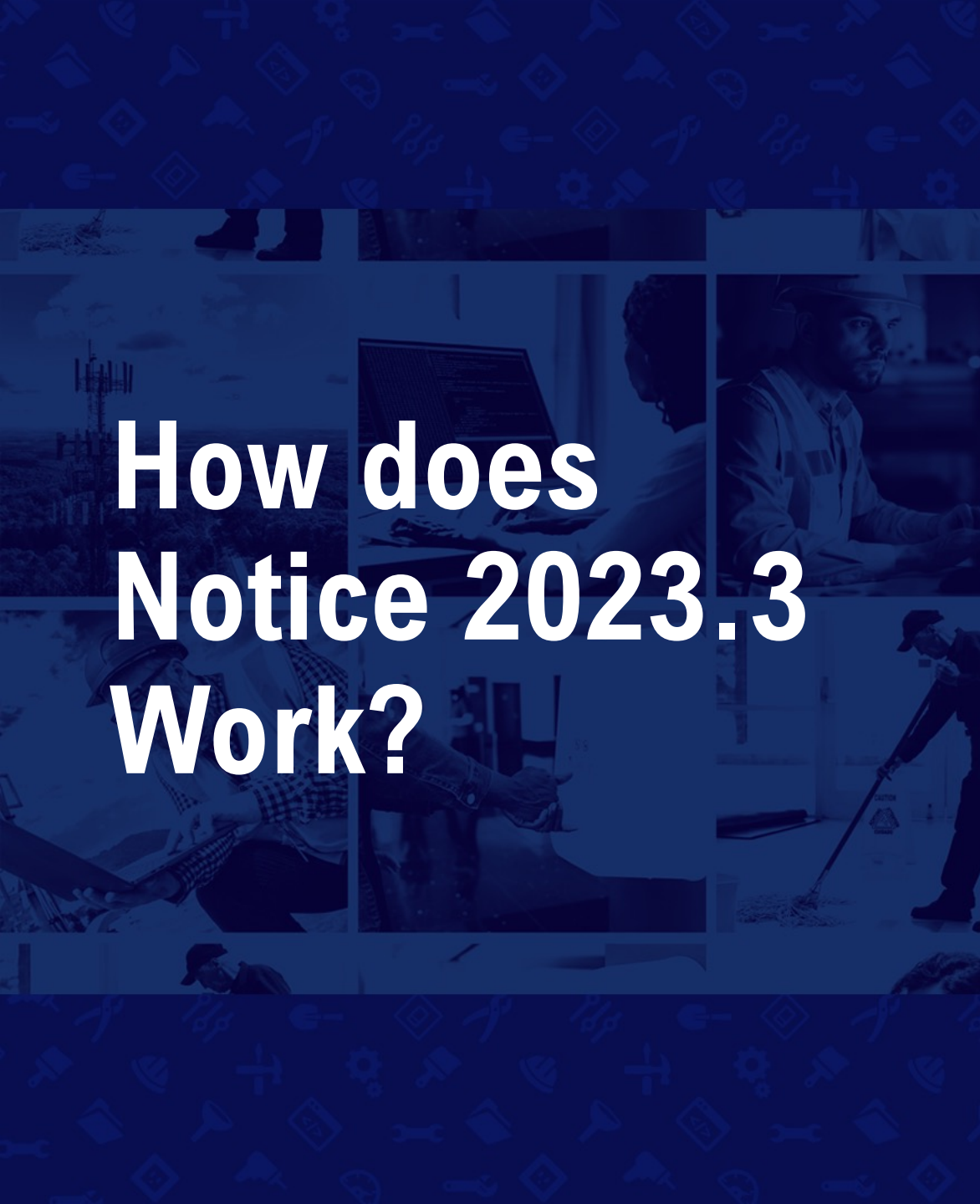
**AMPLIFIED BUSINESS
NETWORKING OPPORTUNITIES**

Goal –Setting Using NIGP Codes

A = numerator and B = denominator

For example, if there are 23 (A) individual BEP/VBP certified firms in the NIGP Class Item Code for plumbing services and 210 (B) individual BidBuy firms in the same NIGP Class Item Code for plumbing services, the formula would be:

- A/B
- $23/210 = 0.10952$
- $0.10952 \times 100 = 10.95\%$
- Estimated availability is 11%



How does Notice 2023.3 Work?

- Removes the requirement for BEP/VBP firms to be registered in all of the solicitation's NIGP Codes.
- Removes the process for vendor NIGP Code revision requests, including the new form originally denoted in Notice 2023.3.
- Reminds vendors to contact the BEP/VBP Certification unit to update their registrations, if necessary.

How does Notice 2023.3 Affect Prime Vendors That:

Are not Self-Performing BEP/VBP-Certified Firms?

Must select certified BEP/VBP subcontractors registered in at least one of the solicitation's NIGP codes for their U-Plan.

Are Self-Performing BEP/VBP Primes

Must be registered in at least one of the solicitation's NIGP codes to self-perform the entire contract.*

*If the purchasing entity intends to count 100% of the value of the contract towards the State's aspirational BEP/VBP goals, the self-performing BEP/VBP prime must be registered in all of the solicitation's NIGP codes.

What Happens If A Purchasing Entity Wants to Revise The NIGP Codes Before The BID Opening Date?

The goal setting must be redone to include the NIGP code revisions and approved by the BEP Compliance unit or a CEI-approved designee.

Purchasing entity must publish a notification on its procurement bulletin, including a comprehensive list of updated NIGP codes and the revised goal percentage.

If the bid opening date is less than 7 calendar days from the revised notification's publication date, the purchasing entity must extend the bid due date to provide bidders/offers with a minimum of 7 calendar days to comply with the changes.

What if the BEP/VBP firm doesn't get registered in the right NIGP codes before the bid opening date?



A self-performing certified BEP/VBP firm that doesn't obtain registration in the solicitation's NIGP codes by the bid opening date must be notified of the deficiency by the agency/PIHE.



A non-self-performing prime that selected a BEP/VBP subcontractor that isn't registered in at least one of the solicitation's NIGP codes by the bid opening date must be notified of the deficiency by the agency/PIHE.



The BEP/VBP firm must be given a period of 10 calendar days to cure the deficiency.



The agency/PIHE will determine whether the cure is adequate.



How Does The Notice Affect Good Faith Effort?

Once the solicitation is updated, only the NIGP Codes listed in the revised notification may be used to meet a good faith effort on the U-Plan.

Process Timeline

The purchasing entity chooses to revise the published solicitation's NIGP codes before the bid opening date.

After obtaining approval, the purchasing entity publishes a notification on its procurement bulletin.

The vendor uses the remaining time before bid opening to submit a bid/offer.

The purchasing entity redoes goal-setting to include the revisions and submits it for approval.

If the bid opening date is less than 7 calendar days from the notification's publication date, the purchasing entity will extend the bid due date to give vendors a minimum of 7 calendar days to comply.

Bidding on Contracts

You do not have to be certified with CEI BEP/VBP to bid on Contracts

- Anyone can bid on any State of Illinois contract. **Certification is not a requirement.**
- You must be registered in the [five Illinois Procurement Bulletin Boards](#) to receive bid notices.





Helpful Resources

- [Amendment No. 2 to Notice 2023.3](#)
- [CEI Act](#)
- [Illinois Procurement Code](#)
- [BEP Act](#)
- [BEP Administrative Rules](#)
- [VBP Administrative Rules](#)
- [CEI BEP Certification Portal \(“DCMS”\)](#)
- [Goal Setting Forms](#)
- [Utilization Plan](#)
- [Good Faith Effort Guidance](#)
- [Goal Setting Manual](#)

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