

# 33025

ADOPTED – BOARD OF TRUSTEES  
COMMUNITY COLLEGE DISTRICT NO. 508  
AUGUST 4, 2016

## BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICT NO. 508 COUNTY OF COOK AND STATE OF ILLINOIS

### RESOLUTION TO ADOPT REVISIONS TO THE PURCHASING AND CONTRACTING POLICIES OF THE CITY COLLEGES OF CHICAGO OFFICE OF ADMINISTRATIVE AND PROCUREMENT SERVICES

**WHEREAS**, the Illinois Public Community College Act, as amended (110 ILCS 850/3-30), lists the powers and duties of community college districts in the State of Illinois, and provides that:

“The board of any community college district has the powers...that may be requisite or proper for the maintenance, operation and development of any college or colleges under the jurisdiction of the board.”

**WHEREAS**, the City Colleges of Chicago has adopted and implemented purchasing and contracting policies under Section 2.0 of the Policies and Procedures for the Management and Government of the City Colleges of Chicago to ensure that all purchases comply and conform with state law;

**WHEREAS**, Section 4.3 of the Board Bylaws of City Colleges of Chicago provides for the adoption of policies and states that:

“The Board may adopt, from time to time, policy statements, guidelines, procedures, regulations, collective bargaining agreements, codes of conduct, or similar documents issued for the governance of the Board, the District and the Colleges.”

**WHEREAS**, the Section 2.0 Purchasing and Contracting Policies have been revised to: 1) include provisions for direct vouchers in lieu of purchase orders as deemed appropriate for specified expenditures; 2) clarify the purchasing dollar thresholds; 3) remove of outdated desk procedures; and 4) include a new policy for sole source per the Procurement Reform Task Force (The revisions to the Purchasing and Contracting Policies and the Executive Summary are attached as Exhibit A); and

**WHEREAS**, Officers of the District support the new revisions to the Purchasing and Contracting Policies that are being recommended by the Vice Chancellor of Administrative and Procurement Services;

**NOW, THEREFORE BE IT RESOLVED**, that the revisions to the Purchasing and Contracting Policies be adopted by the Board of Trustees effective August 4, 2016, and posted on the City Colleges of Chicago website.

**August 4, 2016 – Office of Administrative and Procurement Services**

**Exhibit A**

**City Colleges of Chicago  
Purchasing and Contracting Policies  
Policy Comparison  
Executive Summary**

Section	Change	Explanation
Section 2.0: Introduction of Purchasing and Contracting Policies	Added Direct Voucher Payment language	Provides provisions to utilize direct vouchers as a method of payment in lieu of purchase orders for specified expenditures. i.e., professional memberships, subscriptions, conference registration fees and expenditures approved through a purchase order in a previous fiscal year.
Section 2.2: Requisition Process	Revised language to remove outdated manual desk procedures	<ul style="list-style-type: none"> <li>• Captured submission of requisitions through the financial management system</li> <li>• Updated the consortiums CCC utilizes</li> <li>• Updated webpage address to the main procurement services page</li> </ul>
Section 2.2: Requisition Process	Updated the purchasing threshold for clarity purposes	Revised threshold to be: \$0 to \$2,499.99 - No bidding required \$2,500 up to \$25,000 – Informal Bidding required Three written quotes required on from and certified M/WBE firm \$25,001 and greater – Formal bidding required if there is not a pre-negotiated District contract and not available through one of the participating consortiums
Section 2.2 Formal Competitive Selection	Added Item F. Sole Source Purchases	Added new Policy per the Chicago Procurement Reform Task Force Recommendation.  All Sole Source purchases must be posted prior to approval of an award. A review committee must be established and application packages must be created. See attachments.

## **Exhibit B**

### **ARTICLE 2 PURCHASING**

#### **2.0 PURCHASING AND CONTRACTING POLICIES.**

No purchases shall be made except as provided by Illinois law, or Board Policies and Procedures for purchasing. No officer or employee not expressly authorized by Illinois law or Board Policies and Procedures shall make any purchase(s) on behalf of the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois or enter into any contract, verbal or written, to purchase any apparatus, equipment, supplies, service, repairs, goods, wares or merchandise of any kind or description, or accept any of the aforementioned without the appropriate approval(s) by those authorized to do so. Any contract, verbal or written, made in violation of Illinois law or Board Policies and Procedures for purchasing is deemed null and void as to the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois.

CCC has policies and procedures for the procurement of goods and services. Therefore, staff is not authorized to make any commitments on behalf of CCC without an original purchase order approved by the authorized department head. Employees that make commitments or purchases without a properly approved Purchase Order will be personally responsible for the payment of the goods or services ordered and may be subject to disciplinary action, as stated in the CCC Employee Manual.

CCC will allow the provision to utilize direct vouchers as a method of payment in lieu of purchase orders for specified expenditures. i.e., professional memberships, subscriptions, conference registration fees, travel and travel related expenses, deposits and pre-payments, payment of book voucher purchases and expenditures approved through a purchase order in a previous fiscal year.

Generally, multiple prices must be obtained each time a purchase is made. Methods should be used to maximize the possibility of CCC obtaining the desired goods at the lowest possible price. Splitting purchases to reduce the procedural requirements for obtaining multiple price quotes or bids is strictly prohibited and may be subject to disciplinary action.

#### **2.1 GOODS OR NONPROFESSIONAL SERVICES.**

Goods or nonprofessional services, hereinafter referred to as goods, should be purchased from the vendor who can provide the required goods at the lowest price available.

## 2.2 REQUISITION PROCESS.

The originating/user department enters a requisition in the financial management system. Each requisition is routed electronically for approval. The electronic requisition upon approval generates a purchase order.

CCC recommends the use of the following purchasing consortiums to take advantage of the volume discounts allotted: City Colleges of Chicago are participants of the following consortiums: Illinois Community College System Purchasing Consortium (ICCSPC), US Communities Governmental Purchasing Alliance, E& I Cooperative Services, Inc. National IPA/TCPN, IPHEC and NJPA. Bid recaps are not required for consortium purchases.

### Purchases of up to \$2,499.99:

Competitive bidding is not required. Such items may be purchased from any vendor offering the required goods or services at a reasonable price. Price comparison is highly recommended. Bid recaps are not required for said purchases.

### Purchases of \$2,500 and up to \$25,000:

Informal competitive bidding is required and therefore each user department must obtain three written bid quotations, with at least one being a certified MBE or WBE vendor, specifically describing the goods or services and their prices. The bid quotation describing the goods and specific price(s) may be obtained either on a bid-quotation form or on the vendor's letterhead stationery. In either case, the bid must be written in ink or typed and signed by an authorized representative of the vendor. If three bids are not obtained, an explanation must be provided on the bid-recap sheet. If a quote from either an MBE or WBE vendor is not obtained, a written explanation must be provided that outlines the efforts made to identify a certified MBE or WBE firm. A copy of the scope provided to the vendors must be attached to the bid recap sheet to ensure all vendors received the same information.

The solicitor of bids must sign the recap sheet. At least one of the three quotes must be obtained from a certified minority or woman owned business (MBE or WBE). Prior to adding the bid recap to the electronic requisition in the financial management system, the bid recap must be submitted to the Procurement Department for review and approval.

The bid recapitulation sheet can be downloaded from the Department of Procurement Services webpage. The web address

is: <http://ccc.edu/departments/Pages/Procurement.aspx>

Prices obtained through informal competitive bidding may be used for the period stated in the quotation. Listings of certified M/WBE vendors can be obtained by searching on the City of Chicago's Certification and Compliance system (<https://chicago.mwdbe.com/FrontEnd/VendorSearchPublic.asp>). Please contact [mwbecompliance@ccc.edu](mailto:mwbecompliance@ccc.edu) for assistance in identifying certified M/WBEs.

A bid recap for goods or services is required if the grand total of purchases in the fiscal year with the vendor is over \$2,500.

Purchases in excess of \$25,000:

Formal competitive bidding is required. Formal competitive bidding requires that the initiating department prepare written specifications describing the required goods or services. The specifications shall be reviewed by the Department of Procurement Services to ensure that the specifications are complete and in the proper form. Specifications shall be prepared as objectively as possible, so that the advantage provided to any particular vendor is based on the appropriateness of that vendor's product.

2.3 FORMAL COMPETITIVE SELECTION.

In accordance with State Law, all single purchases exceeding \$25,000 require competitive bidding. The methods for competitive bidding will be determined based on the commodity requested.

A. Sealed Bids

A Sealed Bid is a competitive bidding process whereby the College or department knows exactly what they want and are therefore looking for the best possible price. The description of the goods or services may be either performance based or product based.

Performance-based specifications describe the goods needed by detailing the performance required of the goods. For example, specifications for a calculator would list all the mathematical functions that the calculator must perform.

Product-based specifications describe the goods by identifying a specific product which would be acceptable, and requesting a price on that item or its equivalent. For example, calculator specifications might include prices on Texas Instruments Model TI-1795, or its equivalent. When product specifications are used, a bid on an equivalent product must include specifications demonstrating that the goods bid are substantially equivalent.

The terms of the purchase may include payment terms, prevailing wage requirements, bid-deposit requirements, minority-owned business enterprise ("MBE") requirements, and women-owned business enterprise ("WBE") requirements. (WBE's and MBE's are businesses wholly or partly owned by women or minorities.). The Department of Procurement Services will determine which conditions are required for particular purchases, and include the appropriate terms in the specifications. The Department of Procurement Services will determine the vendor's adherence to the Board approved

Participation Plan. Sealed Bids are publicly opened on the due date. The award is based on the lowest responsible and responsive bidder that meets all specifications of the bid.

B. Request for Proposal

Request for Proposal (“RFP”) is a variation of the sealed bid process and includes evaluation criteria where price is not the only consideration. This may be used where matters of service, maintenance, or non-price issues are of paramount importance. The criteria that will be considered for evaluating the proposal must be detailed in the bidding documents. Recommendation for award is based on the highest ranked firm(s). The proposals are not publicly read aloud.

C. Advertising- Formal Bids

- 1) All competitive bidding documents are distributed by the Department of Procurement Services for public advertising.
- 2) In accordance with State law, an advertisement announcing the goods or services sought, the availability of bid specifications, and the bid opening date, time and place must be placed a minimum of ten days before the bid opening in a local newspaper. Following the advertisement, the newspaper will send the Department of Procurement Services a letter verifying that the advertisement was published. The letter will be retained in the Department of Procurement Services files.
- 3) On the day that the advertisement appears in the local newspaper, at the discretion of the Department of Procurement Services will post the bid specification on the Department of Procurement Services webpage.

D. Specifications - Formal Bids

Specifications, if applicable, shall be available in the Department of Procurement Services during the time between the placement of the advertisement and the bid opening. The deadline for receipt of bids will be a minimum of ten working days after the advertisement appears.

If the District determines that a substantive change in the bid specifications is required after the bid specifications are distributed but before the bids are due, an addendum will be sent to all bidders stating the change. The number of bid copies for submittal and due dates will be addressed in the bid specification. All bids must be sealed by the bidder and must be opened by a staff member in the Department of Procurement Services no earlier than the tenth working day after the advertisement. All bids, excluding RFP’s, are opened in public and the contents of the bid read aloud at the time and place

advertised. Any bid arriving after this time will be returned unopened to the bidder.

E. Bid Deposit

A bid deposit equal to 5% of the bid amount may be required on all purchases of goods and nonprofessional services exceeding \$50,000. This will be determined by the Chief Procurement Officer. The bid deposit may be in the form of a certified check or a cashier's check in the required amount, a letter of credit, or a bid bond.

Bid deposits submitted by unsuccessful bidders are returned approximately 20 days after the bid is awarded. The successful bidder's deposit or bond is kept until the goods are delivered, or the services fully performed.

F. Sole Source Purchases

All sole source procurements ("Sole Source") will require a Justification for Non-Competitive Procurement Application ("Application") and approval by the Non-Competitive Review Committee ("NCRC") prior to award.

All proposed Application Packages will be posted on the CCC's public/procurement website for a period of three (3) weeks. During this period, the public will be invited to comment and/or object and make a substantive claim that the procurement is not a Sole Source.

All public comments and/or objections will be provided to the NCRC. The NCRC will take into consideration the justification and supporting documents from the using department requesting the Non-Competitive Award, as well as the justification of the vendor and all public comments when reaching its decision. If the NCRC approves the Application, then the User Department will prepare a requisition, request for contract or board report if over \$25,000 for the vendor and include the approved application. If the NCRC rejects the Application, then the Application will be returned to the user department for a resubmission as a competitive procurement.

2.3.1 Determining The Lowest Bidder Or Selection Of Responsive Bidder.

A. Sealed Bids

The lowest bid may be determined either by the price of individual items, or by the total price for all items specified. When prices for several items have been



solicited, and different vendors have provided a low bid on individual items, the purchase may be made either from the lowest bidder for each individual item, or from the vendor who made the lowest total bid for all the items specified.

Alternate bids that conform to the specifications may be considered, or technically disqualified. If a low bid is disqualified for failure to comply with specifications, a justification describing the noncompliance must be prepared and maintained on file. A Board Report recommending the purchase from the bidder(s) offering the lowest individual or total price for a product must be submitted to and approved by the Board prior to any purchase.

B. Request for Proposal

The selection of the responsible bidder is conducted by the user department in conjunction with Procurement Services prior to submittal to the Board of Trustees for approval. With all RFP's, written evaluations completed by the evaluation committee must be submitted to the Department of Procurement Services to become part of the contract file.

2.3.2 Annual or Periodic Purchase Orders .

In order to minimize delay and encourage effective planning, prices for goods/services that are purchased regularly should be determined in advance of the purchase. In such cases, the college or the department must make an approximation of the type and the quantity of goods to be purchased during the specified time (not to exceed one year). Bids providing unit prices for such goods should be obtained using the procedure appropriate for the total amount to be purchased during the period. Once the low bid is determined and the necessary approvals obtained, a purchase order for the total amount of the estimated purchases may be issued to the vendor.

Board approval for such purchasing commitments is required if the District-Wide total planned expenditure for a single vendor exceeds \$25,000.

2.3.3 Non-Responsive Bids.

A bidder may be considered non-responsive for failing to complete and submit all contract documents, failing to provide signatures on bid proposals and/or failing to provide bid deposits on contracts.

2.3.4 Exceptions.

All purchases and contracts in excess of \$25,000 must meet the formal bidding requirements as stated in Section 2.3 of this manual. However, items A through N below are exceptions to this general requirement. Exemption from the formal competitive bidding procedure does not exclude bids and proposals from complying with the Board approved M/WBE Participation Plan.

While the items listed below are exceptions to the formal competitive bidding process,

it all purchasers should perform due diligence in describing a comprehensive scope of services and obtaining the best price.

- A. Contracts for services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part;
- B. Contracts for the printing of finance committee reports and departmental reports;
- C. Contracts for the printing or engraving of bonds, tax warrants and other evidence of indebtedness;
- D. Contracts for materials and work which have been awarded to the lowest responsible bidder, and due to unforeseen revisions, not the fault of the contractor for materials and work, must be revised causing expenditures not in excess of 10% of the contract price;
- E. Contracts for the maintenance or servicing of or provision of repair parts for equipment that are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best be performed by the manufacturer or authorized service agent;
- F. Purchases and contracts for the use, purchase, delivery, movement or installation of data processing equipment, software, or services and telecommunications and inter-connect equipment, software and services, except that these purchases and contracts should competitively procured whenever practical through the same formal competitive processes delineated in Section 2.3 et seq.;
- G. Contracts for duplicating machines and supplies;
- H. Contracts for the purpose of natural gas when the cost is less than that offered by a public utility;
- I. Purchases of equipment previously owned by some entity other than the district itself;
- J. Contracts for repair, maintenance, remodeling, renovation, or construction, or a single project involving an expenditure that does not exceed \$50,000 and not involving a change or increase in the size, type, or extent of an existing facility.

This exception is within the Chancellor's authority and does not require Board approval;

- K. Contracts for goods or services procured from another governmental agency;
- L. Contracts for goods or services which are economically procurable from only one

source such as for the purchase of magazines, books, periodicals, pamphlets and reports, and for utility services such as water, light, heat, telephone or telegraph;

M. Where funds are expended in an emergency and such emergency expenditure is approved by the Chairman of the Board or his designee.

N. Contracts for the purchase of perishable foods and perishable beverages.

1) \$25,000 and less:

The requirement that multiple prices be obtained in advance of a purchase may be waived in cases in which either damage to life or to property could result from the delay caused by soliciting prices, or there is a major disruption of the operation and maintenance of the District. Purchases are to be considered emergencies if one of the following conditions apply: (a) when the District likely would be determined liable for an injury that may occur or for health that may be impaired if action is not taken to remediate the problem quickly, (b) when immediate repair is needed to protect against further loss or damage to property, or (c) when immediate action is necessary to avoid disruption of programs or services. Further, all emergency procedures and transactions must be well documented in writing. In all such cases, the college president, the vice chancellor, or the Chancellor must approve a request for an emergency purchase prior to authorization of the expenditure.

2) Over \$25,000:

When considering emergency purchases in excess of \$25,000 without competitive formal bidding, such purchases are to be considered emergencies if one of the following conditions apply: (a) when the District likely would be determined liable for an injury that may occur or for health that may be impaired if action is not taken to remediate the problem quickly, (b) when immediate repair is needed to protect against further loss or damage to property, or (c) when immediate action is necessary to avoid disruption of programs or services. In cases where the emergency expenditure will exceed \$25,000, the Chancellor will obtain verbal approval from the Chairman of the Board. Subsequent Board confirmation of any emergency expenditure shall be obtained at the next scheduled Board meeting and must be approved by 3/4 of the members of the Board. Further, all emergency procedures and transactions must be well documented in writing, describing the nature and reasons of the emergency (i.e., who, what, when, where and why, and how much). The Office of Administrative and Procurement Services will develop and maintain files for emergency purchases over \$25,000. This file will include all the supporting documentation to justify the nature and circumstances that led to the emergency expenditure. Subsequent Board

action confirming that the expenditure was justified on an emergency basis will be included in the file.

N. Other Exceptions

The Chancellor or his designee may approve other purchases which are exempt from the formal bidding process if purchased in amounts less than \$25,000.

The following exceptions do not require Board approval however; monthly informational reports will be made to the Board summarizing these types of expenditures:

- 1) Postage purchases;
- 2) District-wide professional membership dues;
- 3) Required costs associated with accreditation and/or recognition visits;
- 4) Student educational trips;
- 5) Conferences that include all associated cost;
- 6) Expenditures procured through the various purchasing consortiums.

2.4 BOARD REPORTS.

All purchases from a single vendor exceeding \$25,000 during a fiscal year must be approved by the Board. The Board Report shall include the reason for the purchase, a brief description of the procedure used to select the vendor, a description of the goods being purchased, the purchase price, the budgeted account number and the fund name from which the purchase is to be made.

If the lowest price bid is not selected, a justification explaining the reasons for the rejection must be prepared and maintained on file. The explanation must provide sufficient technical detail to justify the rejection of the low bid.

All Board Reports from the Colleges and District Offices that are for goods or services over \$25,000 must be submitted to the Office of the Board of Trustees attn.: Chief Advisor the Board, Tracey Fleming at [tfleming22@ccc.edu](mailto:tfleming22@ccc.edu) and Assistant Board Secretary Bethany Myles at [bmyles5@ccc.edu](mailto:bmyles5@ccc.edu).

## 2.5 JOINT PROCUREMENT.

The Board has authorized joint procurement when it has been determined to be advantageous to the District under the following circumstances:

- A. Contracts awarded by agencies of the State of Illinois, if such contracts permit this practice;
- B. Contracts awarded by other units of local government, if such contracts permit this practice;
- C. Orders placed under United States General Services Administration schedules, in accordance with applicable federal regulations;
- D. A Request for Proposal (“RFP”) issued jointly with one or more other units of local government. All such jointly issued RFP’s must clearly state that each unit of local government is only responsible for the payment of items and services that it orders, with no joint responsibility among the units of local government. The Chancellor or designee is authorized to represent the Board in connection with the preparation and issuance of any joint RFP’s.

In addition to the above, all joint procurements over \$25,000 will require Board approval as per Section 2.3 of this Manual.

## 2.6 PROFESSIONAL SERVICE CONSULTANTS.

### 2.6.1 Architectural, Engineering and Land Surveying Services

#### A. Federal Requirements

In the procurement of architectural, engineering and land surveying services and in the awarding of contracts or professional service agreements, the District will comply with federal law and regulations and take all necessary steps to adopt federal policies, specifications, policies and procedures to remain eligible for federal aid.

#### B. Public Notice

Present provisions of law notwithstanding, in the procurement of architectural, engineering or land surveying services, the District when utilizing architectural, engineering or land surveying services shall permit firms engaged in the lawful practice of their professions to file a statement of qualifications and performance data with the District every three years. Whenever a project requiring architectural, engineering or land surveying services is proposed for the District,

the District at its discretion may:

- 1) Mail a notice requesting a statement of interest to those firms prequalified in their specific area of expertise which is required for the project.
- 2) Obtain statement of interest from at least three prequalified firms in the specific area of expertise which is required for the project.

#### C. Selection Procedure

The evaluation committee shall evaluate the firms submitting letters of interest, taking into account qualifications, ability of professional personnel, past record and experience, performance data on file, willingness to meet time and budget requirements, location, workload of the firm and any other factors the District may determine are applicable. The evaluation committee may conduct discussions with and require public presentations by firms deemed to be the most qualified; thus allowing them to expand on their experience, qualifications, approach to the project and ability to furnish the required services.

When formal bid responses are received by the Office of Administrative and Procurement Services, a copy of each response will be sent to the Department of Procurement Services to determine their adherence to CCC's M/WBE Board Approved Participation Plan.

On the basis of evaluations, discussions and presentations, the District shall select no less than 3 firms which it determines to be the most qualified to provide services regarding the specific project. The Office of Administrative and Procurement Services in conjunction with the user department shall then contact the firm ranked most preferred and attempt to negotiate a contract at a fair and reasonable compensation, taking into account the estimated value, scope, complexity, and professional nature of the services to be rendered. If fewer than three firms submit letters of interest and the District determines that one or both of those firms are so qualified, the District may proceed to negotiate a contract pursuant to this Section (Selection Procedure) and Section 2.00 (E) below (Contract Negotiation).

#### D. Commitment to Hire Students/Graduates Program

As a part of the submission of a bid or proposal, where appropriate, the vendor should indicate their willingness to commit to hiring or creatively including one or more students or graduates by completing the Student Hiring Commitment form. It is expected that those vendors interested in doing business with the CCC will want to support the primary purpose of the District and its students. That primary purpose is the successful transition of students from the classroom to the present and future workforces. Therefore, it is expected that those vendors willing to consume public funds will show their support for the academic mission of the CCC by hiring or creatively including our students or graduates in their

proposed bid or proposal.

2.7 OTHER PROFESSIONAL SERVICES.

In the procurement of and in the awarding of contracts for professional service, the District will comply with federal law and regulations and take all necessary steps to adopt federal rules, specifications, policies and procedures for federal aid.

The same policies will apply as with the RFP process mentioned in Section 1.03 of this manual. All professional services that are state exempted or exempted per section 1.07 of this manual will be formally bid at the Board of Trustees discretion.

2.8 CONTRACT NEGOTIATIONS.

The District shall prepare a written description of the scope of the proposed services required as a basis for negotiations and shall negotiate a contract with the highest qualified firm at compensation that the District determines to be fair and reasonable. In making this decision, the District shall take into account the estimated value, scope, complexity and professional nature of the services to be rendered.

If the District is unable to negotiate a satisfactory contract with the firm that is most preferred, negotiations with that firm shall be terminated. The District shall then begin negotiations with the firm that is next preferred. If the District is unable to negotiate a satisfactory contract with that firm, negotiations with that firm shall be terminated. The District shall then begin negotiations with the firm that is next preferred.

If the District is unable to negotiate a satisfactory contract with any of the selected firms, the District shall re-evaluate the services requested, including the estimated value, scope, and complexity and fee requirements. The District shall then compile a second list of not less than three qualified firms and proceed in accordance with the above provisions.

2.9 MINORITY AND WOMEN OWNED BUSINESS ENTERPRISE PARTICIPATION PLAN.

CCC has adopted the amended Minority and Women Business Enterprise Plan (The "Plan") to ensure that Minority Businesses and Women Businesses shall have maximum feasible opportunities to participate on City Colleges of Chicago contracts, and to remedy the effects of historical discrimination while minimizing its impact upon Non-MBE and Non-WBE businesses. In order to achieve these ideals, the District has an overall goal of awarding 25% of its contracting dollars to certified MBEs and 7% to WBEs

The primary method to meet the contracting ideals is to include the Plan in specification documents. Vendors' proposed utilization of MBEs and WBEs are then considered in determining their responsibility in performing the subsequent contract.

Compliance with MBE or WBE requirements will be considered in determining whether the bidder or proposer is responsive. When comparing bids and proposals for a contract, the proposed level of M/WBE compliance and the vendor's past compliance performance shall be elements of the deciding criteria.

The Office of MBE/WBE Compliance will review details of the Plan regularly for updates.

A. Indirect/Direct Participation of Certified MBE/WBE Vendors

Bidders and Proposers will be required to demonstrate (using the Plan's required schedules) that the proposed MBE and WBE participants will be directly involved in providing goods or services to the District in accordance with the requested scope of services to the maximum feasible extent.

If circumstances don't allow for direct participation, bidders and proposers can consider meeting the Plan's goals through indirect participation which is the utilization of certified MBE or WBE vendors to provide goods and/or services to the prime vendor (and not the district) outside of the proposed being considered for CCC.

Validation of either direct or indirect participation is made by providing a copy of each MBE or WBE vendor's current certification document(s) and their Letters of Intent to perform for credit on the contract (Schedule C).

B. Request for a Waiver from Compliance with CCC's Board Approved Participation Plan

If a vendor is unable to identify certified MBE and WBE vendors to fulfill participation goals for the proposed contract or agreement, and there are no vendors detailed as direct participants, the bidder/proposer must include a written request for a waiver from compliance with CCC's Board Approved Participation Plan.

The request for a waiver is to be completed using a Schedule D and submitted with the bid or proposal. Approval is not automatic and can only be approved as a result of a recommendation from the Office of MBE/WBE Contract Compliance to the Chancellor and is based on the following: (a) supporting documentation demonstrating the bidder/proposer's inability to obtain sufficient certified MBE and/or WBE vendors, (b) good faith attempts to achieve such participation.

C. Report of the District's M/WBE Compliance to the Board of Trustees

The Office of M/WBE Contract Compliance shall prepare cumulative, year-to-date quarterly reports throughout the fiscal year to the Board of Trustees regarding CCC's status in achieving its ideals of expending 25% and 7% with



MBEs and WBEs respectively.

These reports shall consist of: (a) each business unit's total amount of dollars spent on contracts with opportunities for MBE or WBE participation, (b) the amount of dollars spent and the percentages used on MBE and WBE vendors, (c) the amount of dollars spent and percentages used with vendors residing within the city limits of Chicago, and (d) analysis figures comparing the current fiscal year with figures from previous fiscal year.