

SECTION III BUSINESS

5.00 SOLICITATION AND HIRING FOR QUALIFYING CONSTRUCTION CONTRACTS

.01 OBJECTIVE

The Peoria Park District Staff and Board believe that diversity and equity are central to our mission. Diversity of race, color, gender, disability, age, and culture in our employees and those we work with is important to fairly represent the same diversity in our community. The differing perspectives available from a diverse workforce are important to solving the complex problems of our community.

As one of the four pillars of the **Peoria Park District's 4-Pronged Approach to Equity** document, **Pillar #3** is to **Actively Promote and Encourage the Diversity, Equity and Inclusiveness of Peoria Park District funded Contractors and Suppliers.**

The Peoria Park District actively promotes and encourages maximum participation of minorities and women on Peoria Park District construction, procurement, and maintenance contracts to ensure that those we serve and those we work with look like the residents of our community.

This goal is established with the following objectives in mind:

- (A) To ensure that construction contracts are awarded and administered in a nondiscriminatory manner;
- (B) To meet the goals and requirements of the Illinois Human Rights Act ("Act") which requires that every party to a public contract and every eligible bidder shall refrain from unlawful discrimination and undertake affirmative action to assure equality of employment opportunity and eliminate the effects of past discrimination (775 ILCS 5/2-105(A)(1) and of the Illinois Administrative Code ("Code") which requires public contractors and subcontractors to determine if minority persons or women are underutilized in any job classification and, if such underutilization exists, to take appropriate affirmative action to rectify underutilization (44 Ill Admin Code 750.110 and 750.120);
- (C) To promote the District's use of Minority-Owned and Women-Owned Businesses by removing barriers and encouraging a level playing field on which such businesses can compete fairly for construction contracts;
- (D) To strive to increase capacity and participation of minority and women labor as well as Minority-Owned and Women-Owned Businesses for Peoria Park District construction projects; and
- (E) To ensure that goals for Minority-Owned and Women-Owned Businesses are narrowly tailored in accordance with applicable law.

The Park Board recognizes that it is required to comply with applicable bidding laws, federal and state constitutions, statutes, and rules and regulations, as well as any applicable local ordinances.

.02 DEFINITIONS

For the purpose of this Policy, the terms set forth below shall have the following definitions:

"Minority Person" shall mean a person who is a citizen or lawful permanent resident of the United States and who is any of the following: (a) American Indian or Alaska Native (a person having origins in any of the original peoples of North and South America, including Central America, and who maintains tribal affiliation or community attachment); (b) Asian (a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam); (c) Black or African American (a person having origins in any of the black racial groups of Africa); (d) Hispanic or Latino (a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race); and (e) Native Hawaiian or Other Pacific Islander (a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands).

"Woman" shall mean a person who is a citizen or lawful permanent resident of the United States and who is of the female gender.

"Minority-Owned Business" means a business which is at least 51% owned by one or more minority persons, or in the case of a corporation, at least 51% of the stock in which is owned by one or more minority persons; and the management and daily operations of which are controlled by one or more of the minority individuals who own it.

"Women-Owned Business" means a business which is at least 51% owned by one or more women, or in the case of a corporation, at least 51% of the stock in which is owned by one or more women; and the management and daily operations of which are controlled by one or more of the women who own it.

"Qualifying Construction Contract" or "Qualifying Construction Contracts" means any any or all construction projects with an estimated total base cost of \$50,000 or more.

"Responsible Bidder" means a person who has the capability in all respects to perform fully the contract requirements and who has the integrity and reliability that will assure good faith performance. Past performance may be considered as a part of this analysis. This further requires that the bidder is in compliance with the Act and Code.

"Responsive Bidder" means a person who has submitted a bid that conforms in all material respects to the invitation for bids.

"Subcontractor" includes any sub-subcontractors or any more remote contractors on the job.

Any definition above or herein that is not consistent with existing or subsequently added or amended provisions of the Act or Code shall be deemed modified to be consistent with the Act or Code. Any term used herein but not explicitly defined shall have the same meaning as in the Act or Code.

.03 PARTICIPATION GOALS AND AFFIRMATIVE STEPS

(A) Goals:

It is a goal of the Peoria Park District to ensure that the goals and provisions of the Act and Code are met and to encourage participation of minorities and women on Park District Qualifying Construction Projects.

Peoria Park District shall as permitted by law:

(1) endeavor to award not less than 20% of the total dollar amount of the Park District's Qualifying Construction Contracts to Minority-owned Businesses and not less than 5% of the total dollar amount of the Park District's Qualifying Construction Contracts to Women-owned Businesses ("Participation Goals"); and

(2) endeavor to ensure that a minimum of 20% of the total hours worked on any Qualifying Construction Contract are performed by Minority Persons and a minimum of 5% of the total hours worked are performed by Women ("Workforce Goals").

(B) Affirmative Steps:

Peoria Park District shall take the following affirmative steps to ensure that the aforesaid goals are met in respect to Qualifying Construction Projects:

1) Require that all contractors and subcontractors, as a part of their bid submission documents, provide information demonstrating that the contractor or subcontractor has examined all of its job classifications to determine if minority persons or women are underutilized in any classification, and if so, what affirmative action was taken to rectify that underutilization. (44 Ill Admin Code 750.110 (b) and 750.120);

2) Require that if a contractor or subcontractor hires additional employees in order to perform the contract or portion of the contract, it will determine the availability of minorities and women in the areas from which it might reasonably recruit and will hire for each job classification in a way that minorities and women are not underutilized (44 Ill Admin Code 750.110(c) and 120);

3) Include as a part of all contracts, and require as a part of all subcontracts, the Equal Opportunity Clause set forth in Appendix A of 44 Ill Admin Code 750;

4) Place qualified Minority-Owned and Women-Owned Businesses on solicitation lists;

5) Require that Minority-Owned and Women-Owned Businesses are solicited whenever they are potential sources, at varying sizes of projects;

6) Include in all advertisements for bid (legal notice in the Peoria Journal Star), "Bidders are also advised that contract documents for this project include the non-discrimination, equal opportunity and affirmative action provisions in the Human Rights Act and rules and regulations of

the Department of Human Rights. The Peoria Park District is an EEO organization and encourages participation by minority and female-owned firms.”

- 7) Notify applicable plan rooms and diverse agencies which have specific outreach and contacts with local Minority-Owned Businesses or Women-Owned Businesses of current projects out for bid to encourage the broadest notification to Minority-Owned Businesses and Women-Owned Businesses;
- 8) Include in all bid documents, a current list of Minority-Owned and Women-Owned Businesses for general contractors to be able to contact;
- 9) Provide access to a website for free download ability of bid documents for all contractors, including Minority-Owned Businesses and Women-Owned Business;
- 10) When economically feasible and legally permissible, divide construction projects into smaller tasks or quantities to permit maximum participation by Minority-Owned and Women-Owned Businesses;
- 11) Establish project and delivery schedules, when feasible, that encourage participation by Minority-Owned and Women-Owned Businesses;
- 12) Provide the following documentation in staff recommendations to the Park Board: all contractors and agencies notified of the work, all contractors known to download the bid documents, all contractors that bid on the work, which contractors and subcontractors are minority or women owned; the racial, ethnic, and gender breakdown of the contractor and subcontractor workforce on the form provided by PPD; and whether the contractor or subcontractor has violated any law or ordinance, failed to follow any PPD policies, or breached any contract with the PPD in the past;
- 13) Track final statistics of Peoria Park District construction projects for Minority-Owned Businesses and Women-Owned Businesses and workforce participation numbers quarterly and annually;
- 14) Require the general contractor on Qualifying Construction Contracts, if subcontracts are to be let, to follow the Good Faith Effort requirements defined below.

Good Faith Effort is defined as follows:

A good faith effort means the contractor actively and aggressively sought participation by Minority-Owned and Women-Owned Businesses and/or employment of Minority Persons and Women and to meet all requirements of the Act and Code.

Evidence of good faith effort includes, as appropriate:

- Meeting the requirements of the Act and Code as set forth above on an ongoing basis
- Based on the trades and availability of contractors required to complete the project, a

minimum of three minority/women owned firms must be contacted. The Park District's list of minority/women owned firms will be included in all bid documents.

- The bidder shall negotiate in good faith with the potential minority/women owned firms by not imposing any conditions which are not similarly imposed on all other subcontractors and suppliers, or by denying benefits ordinarily conferred on subcontractors or suppliers for the type of work for which bids were solicited. Minority and women owned businesses must be notified at least 3 business days prior to bid opening to allow adequate time to review and provide bid.
- On all Qualifying Construction Contracts, the bidder must complete and include in the bid, the **Minority/Women Owned Contact Sheet** form. This form will include name of companies contacted, the time and date companies were contacted, the method by which the companies were contacted, the response by the companies contacted, the area of work the companies were contacted about, and bid amounts received from the companies along with other comments.
- The low bidder shall provide to the Park District upon request, copies of all correspondence including without limitation, faxes, letters, text messages, and emails sent to minority/women owned firms.
- Assisting interested Minority-owned and Women-owned Businesses in obtaining bonding, lines of credit and insurance;
- Seeking services from available minority and women community organizations, contractors' groups, business assistance offices and other organizations, as appropriate, to provide assistance in recruiting Minority owned and Women-owned Businesses;
- Providing payroll records or other evidence showing the percentage of Minority Persons and Women employees;
- If a Minority-owned or Women-owned Business is rejected, providing sound reasons for rejection;
- Assisting interested Minority-owned and Women-owned Businesses in obtaining necessary equipment, supplies or materials;
- Placing qualified Minority-Owned and Women-Owned Businesses on solicitation lists;
- Ensuring that Minority-Owned and Women-Owned Businesses are solicited whenever they are potential sources, at varying sizes of projects; and
- When economically feasible and legally permissible, dividing construction projects into smaller tasks or quantities to permit maximum participation by Minority-Owned and Women-Owned Businesses

- All other good faith efforts or evidence of due diligence to meet the Park District's Workforce Goals;

.04 CONTRACT BID DOCUMENTS AND AWARD

The Park District shall include within the bid documents for each Qualifying Construction Contract:

- (A) A copy of this policy (Section 5.00);
- (B) An identification of what documents are required to be submitted as a part of the bid under this policy;
- (C) Such documents as will assist in determining compliance with this policy (including without limitation, Company Ownership Form, EEO Form, Workforce Profile, Minority/Women Owned Contact Sheet, Contractor/Subcontractor Workforce Plan);
- (D) A requirement that the contractor meet the Park District's Workforce Goals or provide evidence of a good faith effort toward meeting the goals;
- (E) Appendix A of 44 Ill Admin Code 750;
- (F) Notice that all subcontracts must make reference to and incorporate the provisions of this policy. To the extent a subcontract does not reference and incorporate the provisions of this policy, the contractor will be deemed in breach of contract and in violation of this policy, and shall be subject to the provisions of Section .05. below; and
- (G) Such other documents as deemed appropriate.

Contracts will be awarded to the lowest Responsible and Responsive Bidder. Bids or proposals submitted without the required documentation identified in this policy are considered unresponsive and will be rejected.

.05 PROGRAM ADMINISTRATION

- (A) The Executive Director or designee shall administer and enforce the provisions of this policy;
- (B) The Park District Board, prior to voting on an applicable contract award, shall be provided information showing the bidder's compliance with this policy;
- (C) The Executive Director or designee shall monitor, track, and report contractors' compliance with this policy over the contract duration to ensure compliance with this policy, including prompt reporting of potential violations to the DEIA Committee and Park District Board. The Park District Board, after five (5) days' notice to the contractor and allowing the

contractor to make a presentation to the Park District Board, shall make a final determination of whether a violation has occurred and what penalty or remedy should be imposed for such violation. Potential penalties or remedies include, but are not limited to, termination of any contract or subcontract, corrective action steps, PPD's contractual remedies, or that the PPD will not consider that contractor to be a responsible bidder, in accordance with Section 8-1(c) of the Park District Code, 70 ILCS 1205/8-1(c), until that contractor provides evidence of making a good faith effort toward meeting these goals, or any combination of penalties and remedies that the Board deems appropriate. The decision of the Park Board is final. The Park Board shall promptly report its decision to the DEIA Committee.

- (D) The Executive Director or designee shall submit a quarterly report with statistics of Peoria Park District construction projects for Minority- Owned Businesses and Women-Owned Businesses and workforce participation numbers to DEIA Committee and to the Park Board for review; and
- (E) The Executive Director or designee shall submit an annual report to the DEIA Committee and Park Board of final statistics of Peoria Park District construction projects for Minority-Owned Businesses and Women-Owned Businesses and workforce participation numbers.

SUMMARY SHEET

SOLICITATION AND HIRING FOR QUALIFYING CONSTRUCTION CONTRACTS

(Construction Projects of \$50,000.00 or more)

1. Goals

Bidder must meet Park District's goals stated below or provide evidence of good faith effort toward meeting the goals to be considered a Responsible and Responsive Bidder.

- Not less than 20% of the total dollar amount of the Contract awarded to go to Minority-owned Businesses
- Not less than 5% of the total dollar amount of the Contract awarded to go to Women-owned Businesses
- Not less than 20% of total hours worked on the job to be by Minority Persons
- Not less than 5% of total hours worked on the job to be by Women

Prior to award, Bidder may be asked to attend a Park Board meeting to review goals and good faith efforts.

2. Required bid documents

The following forms are required with each bid submission. Failing to submit the forms may result in the bid being non-responsive.

- Bid Form
- Subcontractors List
- Certification of Compliance of Listed Provisions and Laws
- W-9
- Bid Bond
- Company Ownership Certification
- Certificate of Equal Employment Opportunity Compliance for Contractors and Vendors
- Workforce Profile
- Minority/Women Owned Contact Sheet
- Contractor/Subcontractor Workforce Plan

3. Required project administrative documents

- Signed Agreement Between Owner & Contractor
- Labor & Material Bond and Performance Bond
- Insurance
- Proof of Certified Payroll submitted to IDOL
- Lien Waivers
- Contractor Affidavit
- Contractor/Subcontractor Workforce Plan

4. Notice to Subcontractors

All subcontracts must make reference to and incorporate the provisions of this Qualifying Construction Contracts Policy. To the extent a subcontract does not reference and incorporate the provisions of the policy, the contractor will be deemed in breach of contract and in violation of this policy, and shall be subject to penalties or remedies stated below.

5. Violation & Penalties

During construction, not meeting self-stated goals listed on "Contractor/Subcontractor Workforce Plan" or "Minority/Women Owned Contact Sheet" shall appear to be a violation. This will result in the following:

- Staff will notify contractor and request additional information and corrective action steps

- Staff will give notice to the Diversity, Equity, Inclusion, & Accessibility (DEIA) Committee and the Park District Board
- The Park District Board, after 5 days' notice to the contractor and allowing the contractor to make a presentation to the Park District Board, shall make a final determination of whether a violation has occurred and what penalty or remedy should be imposed for such violations
- Potential penalties or remedies include:
 - Corrective action steps
 - Termination of any contract or subcontract
 - PPD's contractual remedies
 - PPD will not consider that contractor to be a responsible bidder on future projects until contractor provides evidence of making a good faith effort toward meeting these goals, or any combination of penalties and remedies that the Board deems appropriate.

The decision of the Park Board is final.



Peoria Park District

Certificate of Equal Employment Opportunity Compliance for Contractors & Vendors

The Peoria Park District is an Equal Opportunity Employer and it agrees with each of the provisions below and requires that all suppliers, contractors, subcontractors, and vendors doing business with the Park District be Certified Equal Employment Opportunity Employers in compliance with the Illinois Human Rights Act and such regulations promulgated thereunder, and, that any and all suppliers, contractors, subcontractors or vendors who are found to be in non-compliance with the Illinois Human Rights Act or said regulations may be declared ineligible for future contracts with this Park District; and, that each and every supplier, contractor, subcontractor or vendor does at all times in connection with any dealings with this Park District agree as follows:

- 1) That it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, marital status, order of protection status, national origin or ancestry, citizenship status, age, physical or mental disability unrelated to ability, military status or an unfavorable discharge from military service; and,

further, that it will examine all job classifications to determine if minority persons or women are underutilized and will take appropriate affirmative action to rectify any underutilization [44 Ill Admin Code 750.110(b)].

- 2) That, if it hires additional employees in order to perform this contract or any portion of this contract, it will determine the availability (in accordance with the Illinois Department of Human Rights Rules and Regulations) of minorities and women in the areas from which it may reasonably recruit and it will hire for each job classification for which employees are hired in a way that minorities and women are not underutilized.
- 3) That, in all solicitations or advertisements for employees placed by it or on its behalf, it will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, sexual orientation, marital status, order of protection status, national origin or ancestry, citizenship status, age, physical or mental disability unrelated to ability, military status or an unfavorable discharge from military service.
- 4) That it will send to each labor organization or representative of workers with which it has or is bound by a collective bargaining or other agreement or understanding, a notice advising the labor organization or representative of the contractor's obligations under the Illinois Human Rights Act and the Department's Rules and Regulations. If any labor organization or representative fails or refuses to cooperate with the contractor in its efforts to comply with such Act and Rules and Regulations, the contractor will promptly notify the Peoria Park District and will recruit employees from other sources when necessary to fulfill its obligations under the contract.
- 5) That it will submit reports as required by the Department's Rules and Regulations, furnish all relevant information as may from time to time be requested by the Department or the Peoria Park District, and in all respects comply with the Illinois Human Rights Act and the Department's Rules and Regulations.
- 6) That it will permit access to all relevant books, records, accounts and work sites by personnel of the Peoria Park District and the Department for purposes of investigation to ascertain compliance with the Illinois Human Rights Act and the Department's Rules and Regulations.
- 7) That it will include verbatim or by reference the provisions of this clause in every subcontract awarded under which any portion of the contract obligations are undertaken or assumed, so that the provisions will be binding upon the subcontractor. In the same manner as with other provisions of this contract, the contractor will be liable for compliance with applicable provisions of this clause by subcontractors; and further it will promptly notify the Peoria Park District and the Department in the event any subcontractor fails or refuses to comply with the provisions. In addition, the contractor will not utilize any subcontractor declared by the Illinois Human Rights Commission to be ineligible for contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations.

Failure to properly complete and sign this form, certifying that the Company will agree to the above provisions of the Illinois Human Rights Act as well as the items below will result in it being returned unprocessed thereby resulting in a delay or denial of eligibility to be awarded work with the Peoria Park District.

The Company certifies that it has a written sexual harassment policy meeting the Illinois Human Rights Act and Illinois Department of Human Rights requirements.

Company Name

Company Address

Signature of Company Official

Name / Title

Telephone Number & Fax Number

Email Address

WORKFORCE PROFILE

Job Classifications	Black Employees		White Employees		Hispanic Employees		Native American Employees		Asian Employees		Other Employees		TOTAL EMPLOYEES	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
1. Officials, Managers, Supervisors														
2. Professionals														
3. Technicians														
4. Sales														
5. Office/Clerical														
6. White Collar Trainees:														
7. Skilled Crafts:														
8. Apprentices:														
9. On-the-job Trainees:														
10. Semi-skilled														
11. Service Workers														
12. Unskilled														
TOTALS														

Company Name: _____

INSERT: PROJECT NAME - Project Manual

WORKFORCE PROFILE INSTRUCTIONS

RACE/ETHNIC IDENTIFICATION

WHITE (not of Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.

BLACK (not of Hispanic origin): All persons having origins in any of the Black racial groups of Africa.

HISPANIC: All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

ASIAN or PACIFIC ISLANDER: All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.

NATIVE AMERICAN or ALASKAN NATIVE: All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

DESCRIPTION OF JOB CLASSIFICATIONS

OFFICIALS, MANAGERS, AND SUPERVISORS - Occupations requiring administrative personnel who set broad policies, and exercise over-all responsibility for the execution of these policies, and direct individual departments or special phases of a firm's operations. Includes: officials, executives, middle management, plant managers, department managers/superintendents, salaried foremen who are members of management, purchasing agents and buyers, and kindred workers.

PROFESSIONALS - Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes: accountants/auditors, airplane pilots and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, personnel and labor relations workers, physical scientists, physicians, social scientists, teachers, and kindred workers.

TECHNICIANS - Occupations requiring combination of basic scientific knowledge and manual skill which can be obtained through about 2 years of post high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Includes: drafters, engineering aids, junior engineers, scientific assistants, surveyors, technical illustrators, technicians (medical, dental, electronic physical sciences), and kindred workers.

SALES WORKERS - Occupations engaging wholly or primarily in direct selling. Includes: advertising agents/salespersons, insurance agents/brokers, real estate agents/brokers, stock and bond salespersons, demonstrators, salespersons and sales clerks, and kindred workers.

OFFICE AND CLERICAL WORKERS - Includes all clerical type work regardless of level of difficulty, where the activities are predominantly non-manual though some manual work not directly involved with altering or transporting the products is included. Includes: bookkeepers, cashiers, collectors (bills and accounts), messengers and office couriers, office machine operators, shipping and receiving clerks, stenographers, typist and secretaries, telegraph and telephone operators, and kindred workers.

WHITE COLLAR TRAINEES - Persons engaged in formal training for official, managerial, professional, technical, sales, office and clerical occupations.

SKILLED CRAFTS - Manual worker of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. Includes: the building trades hourly paid foremen and leadmen who are not members of management, mechanics and repairmen, skilled machining occupations, compositors and typesetters, electricians, engravers, job setters (metal), motion picture projectionists, pattern and model makers, stationary engineers, tailors and tailoresses, and kindred workers.

APPRENTICES - Persons employed in a program including work training and related instruction to learn a trade or craft which is traditionally considered an apprenticeship, regardless of whether the program is registered with a Federal or State agency.

ON-THE-JOB TRAINEES - Persons engaged in formal training for craftsmen when not trained under apprentice programs; semi-skilled, unskilled and service occupations.

SEMI-SKILLED WORKERS - Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training.

SERVICE WORKERS - Workers in both protective and non-protective service occupations. Includes: attendants (hospital and other institution, professional and personal service), barbers, charwomen and cleaners, cooks (except household), counter and fountain workers, elevator operators, fire fighters, guards, watchmen and doorkeepers, stewards, janitors, police officers and detectives, porters, waiters and waitresses, and kindred workers.

UNSKILLED WORKERS - Workers in manual occupations which generally require no special training. Perform elementary duties that may be learned in a few days and require the application of little or no independent judgement. Includes: garage laborers, car washers and greasers, gardeners (except farm) and groundskeepers, longshoremen and stevedores, lumbermen, craftsmen and wood choppers, laborers performing lifting, digging, mixing loading and pulling operations, and kindred workers.



PEORIA PARK DISTRICT

Company Ownership Certification

In compliance with Illinois Public Act 102-265, and Peoria Park District policy, disclosure of the information requested in this form is required by the Peoria Park District. Failure to properly complete and sign this form will result in it being returned unprocessed thereby resulting in a delay or denial of Company's eligibility to transact business with Peoria Park District.

Please answer all questions. Note, Company may answer "Yes" to more than one category.

- **Is the Company a Minority Owned Business?** YES NO

Check One:

Company holds Certification for this classification, or

Company is self-certifying

- **Is the Company a Woman Owned Business?** YES NO

Check One:

Company holds Certification for this classification, or

Company is self-certifying

- **Is the Company a Disability-Owned Business?** YES NO

Check One:

Company holds Certification for this classification, or

Company is self-certifying

- **Is the Company a Veteran Owned Business?** YES NO

Check One:

Company holds Certification for this classification, or

Company is self-certifying

- **Is the Company a Service Disabled Veteran Owned Business?** YES NO

Check One:

Company holds Certification for this classification, or

Company is self-certifying

Does Company qualify as a small business under federal Small Business Administration? YES NO

<https://www.sba.gov/document/support-table-size-standards>

Please list the name(s) of the Company majority owner(s): _____

Does Company have any parent and/or subsidiary companies? YES NO

If yes, please list all companies: _____

By signing this form, the Company and the individual signing below attest that the above questions have been answered truthfully, to the best of their knowledge.

Company Name

Company Address

Signature of Company Official

Name / Title

Telephone Number & Fax Number

Email Address



PEORIA PARK DISTRICT

Definitions for Company Ownership Certification

- Selected Classification of Owned Business means a business which is at least 51% owned by one or more persons of the selected ownership classification (i.e. minority, women, veteran, etc.), or in the case of a corporation, at least 51% of the stock in which is owned by one or more persons of the selected ownership classification; and the management and daily operations of which are controlled by one or more of the selected ownership classification individuals who own it.
- Control means the exclusive or ultimate and sole control of the business including, but not limited to, capital investment and all other financial matters, property, acquisitions, contract negotiations, legal matters, officer-director-employee selection and comprehensive hiring, operating responsibilities, cost-control matters, income and dividend matters, financial transactions and rights of other shareholders or joint partners. Control shall be real, substantial and continuing, no pro forma. Control shall include the power to direct or cause the direction of the management and policies of the business and to make the day-to-day as well as major decisions in matters of policy, management and operations. Control shall be exemplified by possessing the requisite knowledge and expertise to run the particular business and control shall not include simple majority or absentee ownership.
- Minority person shall mean a person who is a citizen or lawful permanent resident of the United States and who is any of the following:
 - a) American Indian or Alaska Native (a person having origins in any of the original peoples of North and South America, including Central America, and who maintains tribal affiliation or community attachment).
 - b) Asian (a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam).
 - c) Black or African American (a person having origins in any of the black racial groups of Africa).
 - d) Hispanic or Latino (a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race).
 - e) Native Hawaiian or Other Pacific Islander (a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands).
- Woman shall mean a person who is a citizen or lawful permanent resident of the United States and who is of the female gender.
- Veteran means a person who (i) has been a member of the armed forces of the United States or, while a citizen of the United States, was a member of the armed forces of allies of the United States in time of hostilities with a foreign country and (ii) has served under one or more of the following conditions: (a) the veteran served a total of at least 6 months; (b) the veteran served for the duration of hostilities regardless of the length of the engagement; (c) the veteran was discharged on the basis of hardship; or (d) the veteran was released from active duty because of a service connected disability and was discharged under honorable conditions.
- Service-Disabled Veteran means a veteran who has been found to have 10% or more service-connected disability by the United States Department of Veterans Affairs or the United States Department of Defense.
- A Person with a Disability means a person who is a citizen or lawful resident of the United States and is a person qualifying as being disabled, meaning a person with a severe physical or mental disability that:
 - a) results from: amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, Crohn's disease, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, an intellectual disability, mental illness, multiple sclerosis, muscular dystrophy, musculoskeletal disorders, neurological disorders, including stroke and epilepsy, paraplegia, quadriplegia and other spinal cord conditions, sickle cell anemia, ulcerative colitis, specific learning disabilities, or end stage renal failure disease; and
 - b) substantially limits one or more of the person's major life activities.Another disability or combination of disabilities may also be considered as a severe disability for the purposes of item (a) of this subdivision if it is determined by an evaluation of the rehabilitation potential to cause a comparable degree of substantial functional limitation similar to the specific list of disabilities listed in item (a) of this subdivision.
- Certification means a determination made by the Business Enterprise Council for Minorities, Women, and Persons with Disabilities, or by one delegated authority from the Council to make certifications, or by a State agency with statutory authority to make such a certification, that a business entity is a business owned by a minority, woman, or person with a disability for whatever purpose.

Contractor/Subcontractor Workforce Plan

Initial Bid/Estimating Date: _____ Progress Reporting Date: _____

Check appropriate status:

_____ Contractor
 _____ Subcontractor

Company Name: _____

Address: _____

Contact Person: _____ Phone: _____

Project: _____

Date Work Started: _____ Percent Complete: _____ %

Job Categories (by Trade)	Total Est. Hrs. (Bid)	# Crew (Head Ct.)	# Minority (Head Ct.)	# Female (Head Ct.)	Planned Minority Hrs.	Planned Female Hrs.	Actual Minority Hrs. to date	Actual Female Hrs. to date
Example: Carpenter	1,000	4	1	0	250	0		
Example: Painter	300	3	1	1	100	100		
Total								

Document Purpose:

This document is a tool to estimate the number and areas of work concerning minority and female labor hours anticipated on this job.

The apparent low bidder and their subcontractors listed on the bid documents shall submit this form within one week after bid opening to the Peoria Park District.

This tool is also a means of tracking the minority and female hours on this job. This document shall be attached to each invoice to show actual minority and female hours on this job.

<i>Job Categories (by Trade)</i>	<i>List of Workers Trade Name</i>
<i>Total Est. Hrs. (Bid)</i>	<i>Total hours of each of the trade listed</i>
<i># Crew (Head Ct.)</i>	<i>Total crew head count of each of the trade listed</i>
<i># Minority (Head Ct.)</i>	<i>Total Minority head count (it is subset of Total Crew #)</i>
<i># Females (Head Ct.)</i>	<i>Total Female head count (it is subset of Total Crew #)</i>
<i>Planned Minority Hrs.</i>	<i>Planned Minority hours of each of the trade listed</i>
<i>Planned Female Hrs.</i>	<i>Planned Female hours of each of the trade listed</i>

APPENDIX A OF 44 IL ADMIN CODE 750
EQUAL EMPLOYMENT OPPORTUNITY

In the event of the contractor's non-compliance with the provisions of this Equal Employment Opportunity Clause or the Act, the contractor may be declared ineligible for future contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations, and the contract may be cancelled or voided in whole or in part, and other sanctions or penalties may be imposed or remedies invoked as provided by statute or regulation. During the performance of this contract, the contractor agrees as follows:

- 1) That he or she will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, marital status, order of protection status, national origin or ancestry, citizenship status, age, physical or mental disability unrelated to ability, military status or an unfavorable discharge from military service; and, further, that he or she will examine all job classifications to determine if minority persons or women are underutilized and will take appropriate affirmative action to rectify any underutilization.
- 2) That, if he or she hires additional employees in order to perform this contract or any portion of this contract, he or she will determine the availability (in accordance with this Part) of minorities and women in the areas from which he or she may reasonably recruit and he or she will hire for each job classification for which employees are hired in a way that minorities and women are not underutilized.
- 3) That, in all solicitations or advertisements for employees placed by him or her or on his or her behalf, he or she will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, sexual orientation, marital status, order of protection status, national origin or ancestry, citizenship status, age, physical or mental disability unrelated to ability, military status or an unfavorable discharge from military service.
- 4) That he or she will send to each labor organization or representative of workers with which he or she has or is bound by a collective bargaining or other agreement or understanding, a notice advising the labor organization or representative of the contractor's obligations under the Act and this Part. If any labor organization or representative fails or refuses to cooperate with the contractor in his or her efforts to comply

with the Act and this Part, the contractor will promptly notify the Department and the contracting agency and will recruit employees from other sources when necessary to fulfill its obligations under the contract.

- 5) That he or she will submit reports as required by this Part, furnish all relevant information as may from time to time be requested by the Department or the contracting agency, and in all respects comply with the Act and this Part.
- 6) That he or she will permit access to all relevant books, records, accounts and work sites by personnel of the contracting agency and the Department for purposes of investigation to ascertain compliance with the Act and the Department's Rules and Regulations.
- 7) That he or she will include verbatim or by reference the provisions of this clause in every subcontract awarded under which any portion of the contract obligations are undertaken or assumed, so that the provisions will be binding upon the subcontractor. In the same manner as with other provisions of this contract, the contractor will be liable for compliance with applicable provisions of this clause by subcontractors; and further it will promptly notify the contracting agency and the Department in the event any subcontractor fails or refuses to comply with the provisions. In addition, the contractor will not utilize any subcontractor declared by the Illinois Human Rights Commission to be ineligible for contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations.