



NEW BEP ACT CHANGES

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- The key provisions that will impact CDB operations are:
 - An aspirational goal to award at least 2% of the total dollar amount of State construction contracts to businesses owned by persons with disabilities (PBE). 30 ILCS 575/4(b).
 - A reciprocal program is now in place by CMS to recognize MBE, WBE, PBE, and VBE certifications issued by the City of Chicago and Cook County. 30 ILCS 575/5(2)(a).
 - Changes to the waiver request process when a contractor is unable to meet goal requirements on a project. 30 ILCS 575/7.

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- When requesting a waiver from goal requirements, the contractor's good faith effort documentation must include, but is not limited to:
 1. A list of all CMS certified MBE/WBE/PBE/VBE firms eligible to perform the work, if available;
 2. Demonstrated proof that the number of firms identified above is insufficient to ensure competition, if available;
 3. The difference in cost between the contract proposals being offered by MBE/WBE/PBE/VBE firms and CDB's expectations of reasonable prices on proposals within that class, if available; and
 4. A list of all MBE/WBE/PBE/VBE firms that the contractor has used in the current and prior fiscal year, if available.

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- When making a determination concerning waivers, CDB's determination must include:
 1. The justification for the requested waiver and whether good faith efforts were used to identify and solicit MBE/WBE/PBE/VBE firms.
 2. The total number of waivers the contractor has been granted in the current and prior fiscal year.
 3. The percentage of contracts awarded by CDB to MBE/WBE/PBE/VBE firms in the current and prior fiscal years.
 4. The contractor's use of MBE/WBE/PBE/VBE firms in the current and prior fiscal years.



NEW PROCEDURE FOR
BIDDERS THAT SUBMIT A
BLANK 00 41 05 FORM

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The four-day cure period is no longer available to bidders that submit a blank 00 41 05 Form.



Bidders that submit a blank 00 41 05 Form with their bid, must submit good faith effort documentation with their bid.



Bidders that submit their good faith effort documentation with their bid will be granted a 10-day cure period.



Bids that include a blank 00 41 05 Form with no good faith effort documentation attached will be rejected.