

Resolution No. 166

Presented by Senator Rose

WHEREAS, the Business Enterprise Council for Minorities, Women, and Persons with Disabilities (“BEP Council”) is responsible for devising a certification procedure to assure that businesses taking advantage of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (“Act”) are legitimately classified as businesses owned by minorities, women or persons with disabilities; and

WHEREAS, the BEP Council is responsible for maintaining a list of all businesses legitimately classified as businesses owned by minorities, women, or persons with disabilities; and

WHEREAS, the BEP Council is responsible for certifying businesses owned by minorities, women, or persons with disabilities certified by the City of Chicago, Cook County, or other jurisdictional programs with requirements and procedures equaling or exceeding those in the Act, without additional evidence of eligibility; and

WHEREAS, the BEP Council is responsible for adopting a procedure to grant automatic certification to businesses holding a certification from at least one of the following entities: (i) the Illinois Unified Certification Program; (ii) the Women’s Business Development Center in Chicago; (iii) the Chicago Minority Supplier Development Council; or (iv) any other similar entity offering such certification to businesses; and

WHEREAS, the BEP Council is responsible for developing and maintaining a repository for non-certified vendors that: (i) have applied for certification and have been denied; (ii) have started, but not completed, the certification process; (iii) have achieved certification, but did not seek renewal’ or (iv) are known businesses owned by minorities, women, or persons with disabilities; and

WHEREAS, the certification process verifies that the businesses are owned and controlled by BEP eligible individuals in accordance with the requirements of the Act and relevant Administrative Rules; and

WHEREAS, the certification process is overseen by the Secretary of the BEP Council, who is selected by the Chairperson of the Commission on Equity and Inclusion; and

WHEREAS, the Veterans Business Program assist businesses owned by qualified service disabled and veteran-owned businesses gain access to State of Illinois contracting opportunities and participation in the competitive procurement process; and

WHEREAS, in order for a business to qualify as a Veteran Owned Business and participate in the program it must be meet certain qualifications and become certified; therefore, be it

RESOLVED, BY THE LEGISLATIVE AUDIT COMMISSION, that the Auditor General is directed to conduct a performance audit of both the State’s Business Enterprise Program including the certification program for businesses owned by minorities, women, and persons with disabilities, and the State’s Veterans Business Program; and be it further

RESOLVED, that the audit include, but not be limited to, for the period FY22 and FY23, the following determinations:

- 1) Whether certification and recertification procedures are adequate to assure that businesses participating in the Business Enterprise Program are legitimately classified as businesses owned and controlled by minorities, women, or persons with disabilities and that businesses participating in the Veterans Business Program are legitimately classified as a Veteran Owned Business;
- 2) Whether the established procedures and processes that govern certification of businesses owned and controlled by minorities, women, persons with disabilities, or veterans are being followed;
- 3) Whether staff responsible for certification of these businesses have received adequate training;
- 4) What steps are followed to verify information provided by businesses participating in the Business Enterprise Program and the Veterans Business Program, such as review of pertinent documentation, interviews, and on-site visits;
- 5) Whether the certifications are periodically reviewed to ensure that businesses in the programs continue to be qualified for participation;
- 6) Whether procedures for enforcing compliance, including contract termination and contractor suspension, are adequate and uniformly enforced; and be it further

RESOLVED, that the BEP Council, the Commission on Equity and Inclusion, and any other entity having information relevant to this audit cooperate fully and promptly with the Auditor General's Office in the conduct of this audit; and be it further

RESOLVED, that the Auditor General commence this audit as soon as possible and report his findings and recommendations upon completion in accordance with the provisions of Section 3-14 of the Illinois State Auditing Act; and be it further

RESOLVED, that a suitable copy of this resolution be delivered to the Auditor General, the BEP Council, and the Commission on Equity and Inclusion.

Adopted this 20th day of February, 2024



Senator Chapin Rose
Co-Chair, Legislative Audit Commission



Representative Fred Crespo
Co-Chair, Legislative Audit Commission