



Sen. Iris Y. Martinez

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1 AMENDMENT TO SENATE BILL 2399

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2399 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Chicago Local Government Vendor Diversity Act.

6 Section 5. Definitions.

7 "Governmental participant" means a non-home rule unit of  
8 local government located in whole or in part within a  
9 municipality with more than 1,000,000 inhabitants, a school  
10 district located in whole or in part within a municipality with  
11 more than 1,000,000 inhabitants, a non-home rule political  
12 subdivision located in whole or in part within a municipality  
13 with more than 1,000,000 inhabitants, a public housing  
14 authority located in whole or in part within a municipality  
15 with more than 1,000,000 inhabitants, a public employee pension  
16 fund that has a principal place of business in a municipality

1 with more than 1,000,000 inhabitants, and a defined  
2 contribution plan serving public employees that has a principal  
3 place of business in a municipality with more than 1,000,000  
4 inhabitants; the term "governmental participant" specifically  
5 includes, but is not limited to, the Metropolitan Pier and  
6 Exposition Authority, the Metropolitan Water Reclamation  
7 District, the Chicago Park District, the Regional  
8 Transportation Authority and each of its service boards, and  
9 the Chicago Housing Authority.

10 "Minority person" means a person who is a citizen or lawful  
11 permanent resident of the United States and who is any of the  
12 following:

13 (1) American Indian or Alaska Native (a person having  
14 origins in any of the original peoples of North and South  
15 America, including Central America, and who maintains  
16 tribal affiliation or community attachment).

17 (2) Asian (a person having origins in any of the  
18 original peoples of the Far East, Southeast Asia, or the  
19 Indian subcontinent, including, but not limited to,  
20 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,  
21 the Philippine Islands, Thailand, and Vietnam).

22 (3) Black or African-American (a person having origins  
23 in any of the black racial groups of Africa).

24 (4) Hispanic or Latino (a person of Cuban, Mexican,  
25 Puerto Rican, South or Central American, or other Spanish  
26 culture or origin, regardless of race).

1           (5) Native Hawaiian or Other Pacific Islander (a person  
2           having origins in any of the original peoples of Hawaii,  
3           Guam, Samoa, or other Pacific Islands).

4           "Professional" means: (1) any employee engaged in work that  
5           (i) is predominantly intellectual and varied in character, (ii)  
6           involves the consistent exercise of discretion and judgment in  
7           its performance, (iii) is of such a character that the output  
8           produced or the result accomplished cannot be standardized in  
9           relation to a given period of time, and (iv) requires advanced  
10          knowledge in a field of science or learning customarily  
11          acquired by a prolonged course of specialized intellectual  
12          instruction and study in an institution of higher learning; or  
13          (2) any employee who has completed the courses of specialized  
14          intellectual instruction and study described in this paragraph  
15          and is performing related work under the supervision of a  
16          professional to qualify to become a professional.

17          "Vendor" means any law firm, financial advisor, municipal  
18          advisor, bank, trustee, verification agent, fund manager,  
19          asset manager, institutional investment manager, fund  
20          consultant or underwriter that provides any professional  
21          service to any governmental participant (as defined hereafter)  
22          in connection with debt obligation transactions, auditing,  
23          financial services, asset management services, or brokerage  
24          services.

25          "Woman" means a person who is a citizen or lawful permanent  
26          resident of the United States and who is of the female gender.

1 Section 10. Reporting requirements.

2 (a) Each governmental participant who contracts with a  
3 vendor shall obtain from each such vendor (i) a front-end  
4 report of professionals as provided in subsection (b) and (ii)  
5 a supplemental report of professionals as provided in  
6 subsection (c).

7 (b) Each vendor shall accurately submit, at the time of  
8 executing the contract with the governmental participant, a  
9 front-end report containing the following information:

10 (1) the total number of professionals who are expected  
11 to participate in the performance required under the  
12 contract who are minority persons, women, or both; the  
13 information under this paragraph shall be sorted by race,  
14 ethnic background, and gender;

15 (2) the total number of professionals who are expected  
16 to participate in the performance required under the  
17 contract; and

18 (3) the position and job title of each professional who  
19 is expected to participate in the performance required  
20 under the contract; the information under this paragraph  
21 shall be sorted by race, ethnic background, and gender.

22 (c) Within 30 days after the completion of performance  
23 under the contract, the vendor shall file with the governmental  
24 participant a supplemental report containing the following  
25 information:

1           (1) the total amount of time the vendor worked, per the  
2 terms of the contract;

3           (2) the race, ethnic background, and gender of each  
4 professional who participated in the performance required  
5 under the contract; and

6           (3) the amount of time spent by each such professional  
7 working on the performance required under the contract.

8           (d) The reports required under this Section shall be  
9 submitted in the form and manner required by the governmental  
10 participant.

11           (e) A governmental participant may grant extensions of the  
12 time to file a report for good cause shown.

13           Section 15. Vendors; eligibility to do business. A  
14 governmental participant may provide that a vendor is  
15 ineligible to do business with that governmental participant if  
16 the vendor fails to file a report under Section 10 with any  
17 governmental participant.

18           Section 20. Quarterly report. Each governmental  
19 participant shall create a quarterly report summarizing all  
20 collected data, vendor forms, information, and reports,  
21 together with a list of vendors who failed to comply, and shall  
22 display that information prominently on its website if the  
23 governmental participant maintains a website. Each  
24 governmental participant must deliver a copy of the report to

1 the Finance Committee of the City Council of the City of  
2 Chicago.

3 Section 99. Effective date. This Act takes effect January  
4 1, 2017.".