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| ***Business Enterprise Program Required Certification*** |

**WHEREAS,** the Illinois Board of Higher Education (IBHE), as grantor, and \_\_\_\_\_\_\_\_\_\_\_\_, as grantee, previously entered into a grant agreement and agreed to an Independent Colleges Capital Program (ICCAP) grant for approved capital projects pursuant to the Private Colleges and Universities Capital Distribution Formula Act [30 ILCS 769/Art. 25]; and

**WHEREAS**, since the award of that initial grant on June 21, 2010, the State of Illinois instituted a new requirement that all capital construction grants of $250,000 or more comply with the Business Enterprise for Minorities, Females, and Persons with Disabilities Act (BEP) [30 ILCS 575/1 et.seq.], effective July 16, 2010; and

**WHEREAS**, it is contemplated that additional ICCAP funds may or will be made available to the IBHE to be distributed to eligible recipients such as the Grantee; and

**WHEREAS**, the BEP requires each grantee to submit written certification that it will comply with BEP program practices and a BEP plan for minority-owned businesses, female-owned businesses, and businesses owned by persons with disabilities before signing the next grant agreement [30 ILCS 105/45]; and

**WHEREAS**, each grantee also is required to certify that it will comply with the equal employment practices of Section 2-105 the Illinois Human Rights Act (775 ILCS 5/2-105); and

**WHEREAS**, the IBHE, prior to signing the grant agreement and making subsequent distribution of grant funds after July 16, 2010, is required to ensure that the grantee has submitted such written certifications and BEP plan;

**NOW, THEREFORE**, the grantee agrees and represents as follows:

1. **Certifications.**
   1. Grantee certifies to the IBHE that it will comply with the BEP practices for minority-owned businesses, female-owned businesses, and businesses owned by persons with disabilities of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act [30 ILCS 575/1 et.seq.].
   2. Grantee certifies to the IBHE that it will comply with the equal employment practices of Section 2-105 of the Illinois Human Rights Act [775 ILCS 5/2-105].
   3. Grantee certifies that it has submitted a written BEP plan for minority-owned businesses, female-owned businesses, and businesses owned by persons with disabilities to the Illinois Capital Development Board (CDB). Grantee understands that CDB must approve said plan prior to the IBHE signing of the grant agreement and distribution of the grant award.
2. **Exemptions.** Grantee agrees to assign a goal as part of the BEP Plan or assert its right to an exemption. Projects may be exempt from the goal requirements if:
3. The total estimated grant award to a grantee is less than $250,000 and the total does not include the amount of the first distribution in June 2010, as determined by IBHE.

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| *This exemption is available to the following grantees: Mac Cormac College, Chicago; Spertus College of Judaica, Chicago; and St. Johns College, Springfield. Each grantee will need to complete and sign this form to claim the exemption.* |

1. A capital project is not funded with ICCAP dollars (i.e., grantee decides not to use grant awards for an approved project and submits a request to IBHE to delete the project from their project list).

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| *Provide the Short Name of any capital project that may be eligible for this exemption. Projects will be exempt if the online request to delete has been submitted to IBHE by the grantee.* |
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1. A capital project was funded from the first distribution of ICCAP dollars in June 2010; however, if the same capital project received ICCAP dollars from a distribution subsequent to June 2010, the subsequent amount is subject to the CDB requirements for the BEP process unless another exemption applies.

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| *Provide the Short Name of any capital project that was funded from the first distribution and will not be funded from future distributions.* |
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1. A capital project has an estimated cost that is less than $100,000. A capital project approved by the IBHE with an estimated cost greater than $100,000 may not be divided into smaller projects to skirt the CDB requirements for the BEP process.

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| *Provide the Short Name of any capital project that may be eligible for this exemption.* |
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1. The estimated cost of an approved capital project is greater than the total estimated ICCAP award; the CDB requirements for the BEP process apply only to the portion funded with ICCAP dollars.

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| *Provide the Short Name of any capital project that may be eligible for this exemption.* |
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F. A bid for a capital project was accepted by the grantee prior to July 16, 2010.

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| *Provide the Short Name of any capital project that may be eligible for this exemption.* |
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1. A capital project is completed in-house by an employee or employees of the grantee.

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| *Provide the Short Name of any capital project that may be eligible for this exemption.* |
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1. A capital project that was completed prior to July 1, 2012.

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| *Provide the Short Name of any capital project that may be eligible for this exemption.* |
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1. **Goals.** Grantee agrees to assigns goals to the following capital projects:

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| *Provide the Short Name of any capital project that may require a BEP plan.* |
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1. **Documents.** Grantee agrees to use the CDB provided forms to document its goals and compliance with the BEP practices. The grantee shall submit such forms to the CDB and submit this written certification to the IBHE.
2. **Assistance.** If the grantee needs assistance in setting goals, completing and submitting the CDB provided forms, or identifying construction-related firms or suppliers, the grantee will contact the CDB for assistance.
3. **Additional Certification**. Grantee certifies under oath that this certification is true, correct, and complete.

**EFFECTIVE DATE:** July 16, 2010

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| GRANTEE: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |
| By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |  |
| Chief Officer | |  |
| Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |  |
| Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |  |
| Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |  |

Mail this form with the original signature to the following address:

Karen Helland, Senior Associate Director

Independent Colleges Capital Program (ICCAP)

Illinois Board of Higher Education

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Springfield, IL 62701-1404