

Office of the Attorney General
Utilization of Businesses Owned by Minorities, Women, and Persons with Disabilities

As required by section 9 of the Attorney General Act (15 ILCS 205/9) and section 1300.4500(g) of the Attorney General's Procurement Rules (44 Ill. Adm. Code. §1300.4500(g) (2021)), the Office of the Attorney General (OAG) is publishing its Fiscal Year 2022 report regarding the OAG's utilization of businesses owned by minorities, women, and persons with disabilities. The report covers the period 07/01/2021 through 06/30/2022. The aspirational goals established by the OAG for procurement contracts awarded to businesses owned by minorities, women, and disabled persons track those found in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/4). See 44 Ill. Adm. Code §1300.4500(a) (2021).

The OAG is committed to using its resources to promote contracting with businesses owned by minorities, women and persons with disabilities. For example, we may undertake the following actions to assist in making progress toward our aspirational goals: (1) focusing solicitations for goods and services on vendors included on the Business Enterprise Council's list of certified businesses; (2) dividing job or project requirements into smaller tasks or quantities, when economically, technically, and programmatically feasible, in order to utilize such businesses; and (3) identifying specific, proposed projects, purchases, or contracts as particularly appropriate for participation by such businesses, and working to establish set-asides for them in accordance with applicable law. See Ill. Adm. Code §1300.4500 (e) (2021).

In reviewing the data contained in the report, it is important to note two significant factors that impact the annual percentage of contracts entered into by the OAG with businesses owned by minorities, women, and disabled persons:

1. The OAG's procurement of goods and services is historically small, compared to procurement by many other State offices and agencies. Therefore, whenever possible, the OAG procures its goods and services through Master Contracts entered into by the Department of Central Management Services (CMS), rather than contracting with vendors directly. Because CMS Master Contracts with businesses owned by minorities, women, and disabled persons are counted toward the State's total utilization of such businesses, the CMS Master Contracts cannot also be counted toward the OAG's actual contract percentages, even though the OAG pays the businesses directly from funds appropriated to the OAG.
2. The type and nature of work performed by the OAG involves, in significant part, the procurement of professional services in anticipation of litigation (i.e. contracts to employ Special Assistant Attorneys General, consultants, and other professionals who may serve as experts or otherwise participate in litigation-related matters under contract with the OAG). Procurement of professional services in anticipation of litigation may include contracts between the OAG and businesses owned by minorities, women, and disabled persons. However, these services are expressly excluded from the scope of the reporting requirements set out in the Attorney General Act (See 15 ILCS 205/9). Therefore, they have not and cannot be counted toward the satisfaction of the OAG's aspirational procurement goals.

The OAG supports working to extend outreach efforts in order to expand the pool of certified businesses owned by minorities, women, and disabled persons from which State officers and agencies (and especially those with a small procurement footprint, such as the OAG) may draw with respect to future procurement efforts. The OAG encourages all businesses owned by minorities, women, and disabled persons to seek certification by the appropriate certifying bodies, and encourages CMS and other State officers and agencies to annually evaluate and act upon opportunities to affirmatively encourage qualified businesses to become certified. All of these actions, taken together, will help to establish meaningful State-related contracting opportunities for businesses owned by minorities, women, and disabled persons, now, and in the future.

**Office of the Attorney General
 Business Enterprise Program
 For Minorities, Females, and Persons with Disabilities
 For the Fiscal Year Ended June 30, 2022**

Category	Goal	Actual Percentages	Dollar Amounts
Contracts awarded to business' owned by minorities, women, and person with disabilities	30.00%	4.01%	\$ 570,418.78
Businesses owned by women	10.00%	1.63%	\$ 231,055.74
Businesses owned by persons with disabilities	4.00%	0.28%	\$ 39,102.20
Businesses owned by minorities	16.00%	2.11%	\$ 300,260.84