



# CHICAGO BOTANIC GARDEN

## Supplier Diversity Policy

1. **Mission Statement:** The Garden is committed to the goal of enhancing the economic opportunities for Minority Business Enterprises (MBE) and Women-Owned Business Enterprises (WBE).
2. **Policy Statement:** The Chicago Botanic Garden (“Garden”) is one of the country’s most visited public gardens and a preeminent center for learning and plant conservation science research. Its mission is to promote the enjoyment, understanding and conservation of plants and the natural world. The Garden recognizes its responsibility to the communities which it serves and is committed to a policy of nondiscrimination. It is the policy and commitment of the Garden not to discriminate on the basis of race, color, national origin, or sex in the award and performance of any Garden contract or in the administration of the Garden’s Supplier Diversity Program. The Garden will take all necessary and reasonable steps to assure that diverse suppliers certified as defined below shall have a fair opportunity to participate in Garden contracts:
  - Minority Business Enterprises
  - Women-Owned Business Enterprises

The Chicago Botanic Garden Supplier Diversity Policy (“Policy”) sets forth the Garden’s guidelines, procedures, and requirements for its Supplier Diversity Program.

3. **Policy Objectives:** In implementing and administering this Policy, the Garden will take all necessary and reasonable steps to assure that small business enterprises certified as MBEs/WBEs shall have a fair opportunity to participate in Garden contracts. As part of its Diverse Supplier Policy commitment the Garden will make every effort to achieve the following objectives:
  - To ensure nondiscrimination in the award and administration of contracts;
  - To create a level playing field on which diverse suppliers can compete fairly for contracts;
  - To ensure that the Garden’s Diverse Supplier Program is narrowly tailored in accordance with applicable law;
  - To ensure that only firms that fully meet eligibility standards are permitted to participate as diverse suppliers; and,
  - To help remove barriers to the participation of diverse suppliers in contracts.



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Implementation and administration of the MBE/WBE Program is accorded the same priority as compliance with all other legal obligations incurred by the Garden.

The President and CEO, Executive Vice President of Finance and Administration and Chief Financial Officer, and the Vice President of Government Affairs have been delegated responsibility to ensure participation of MBEs/WBEs in the Garden's procurement process. Additionally, the Executive Vice President, Vice Presidents, Directors, and their management staff will share in the responsibility for making the Garden's Supplier Diversity policy a success.

The Garden's MBE/WBE participation goals will be disseminated to the Garden's Board and all the components of the Garden. This Policy shall also be distributed to MBE/WBE and non-MBE/WBE business communities that perform work or provide services or supplies on Garden contracts. The Garden's Board is committed to the Supplier Diversity Policy and shall take all reasonable steps to ensure achievement of its goal.

4. **Definitions:** The following definitions apply as used within this Policy.
  - 4.1. **"Certification"** means one of the agencies or programs listed and identified below who has determined on the basis of information provided to the agency or program by the MBE/WBE firm on its application form and investigation into the representation their, that a business is a bona-fide MBE/WBE.
  - 4.2. **"Certified Minority Business Enterprise" ("MBE") and "Certified Women's Business Enterprise: ("WBE")** means a person or entity granted Certification as a MBE or WBE by the City of Chicago, Chicago Minority Supplier Development Council ("CMSDC"), Cook County, Women's Business Development Center ("WBDC"), National Minority Supplier Development Council ("NMSDC"), State of Illinois Central Management Services, or other recognized certification agencies approved by the Garden.
  - 4.3. **"Consultant"** means the company or other entity identified in any contract with the Garden, and such successor or assign, if any, as may be authorized to perform professional services on behalf of the Garden.
  - 4.4. **"Contractor"** means any person or entity that has a direct contract with the Garden (in which the parties do not stand in the relationship of an employer and an employee), providing labor, services, products or materials for the Project.



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- 4.5. **“Eligible MBE or WBE”** includes any qualified Contractor, Consultant, Subcontractor, Sub-consultant, sub-subcontractor, manufacturer or Supplier providing labor, services, products or materials to the Garden, who is currently certified by one of the agencies or program listed and identified in above and who maintains Certification with the agency throughout the duration of the Project.
- 4.6. **“Letter of Certification”** means official correspondence from one of the other agencies or programs listed above which confirms a firms’ certification as a MBE/WBE and area of specialization.
- 4.7. **“Joint Venture”** means an association of two or more businesses to carry out a single business enterprise for profit, and for which they combine their expertise, property, capital, efforts, skills, and knowledge. A joint venture seeking to be credited for MBE and/or WBE participation may be formed among MBE and/or WBE firms or non-MBE/WBE firms. The MBE or WBE venture must share in the ownership, control management responsibilities, risks and profits of the joint venture in proportion with its MBE and/or WBE ownership percentage. The MBE and/or WBE venture must be responsible for a clearly defined portion of work to be performed in proportion with its MBE and/or WBE ownership percentage. Joint ventures must have an agreement in writing specifying the terms and conditions of the relationships between the parties and their relationship and responsibilities to the contract.
- 4.8. **“Minority”** means any of the following racial or ethnic groups:
- 4.8.1. **African-Americans or Blacks:** persons having origins in any of the Black racial groups of Africa;
  - 4.8.2. **Hispanics:** persons of Spanish culture with origins in Mexico, South or Central America, or the Caribbean Island, regardless of race;
  - 4.8.3. **Asian-Americans:** persons having origins in any of the original peoples of east Asia, Southeast Asia, the India subcontinent, or the Pacific Islands;
  - 4.8.4. **American Indians:** persons having origins in any of the original peoples of North and South America, including Central America, and who maintain tribal affiliation or community attachment; and
  - 4.8.5. Other groups, or individuals, found to be socially and economically disadvantaged and to have suffered actual racial or ethnic discrimination and decreased opportunities to compete in the area markets.



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- 4.9. **“Minority Business Enterprise” (“MBE”)** means a small business in which at least 51% of the stock or beneficial interest are owned by one or more Minorities, or in the case of a public held corporation, in which 51% of the stock is owned by one or more such individuals and whose management, policies and daily business operations are independently managed and controlled by one or more economically disadvantaged Minorities. This group includes any qualified Contractor, Consultant, Sub-consultant, Subcontractor or Supplier providing labor, services, products or materials for the Project, which is Certified MBE.
- 4.10. **“Project”** means the professional services performed, product or materials supplied or the total construction of which the work performed under the contract documents may be the whole or a part.
- 4.11. **“Sub-consultant”** means any person hired by the Consultant to perform professional services on behalf of the Garden.
- 4.12. **“Subcontractor”** means any person or entity that has a direct or indirect contract with a Contractor to provide labor, services, products or materials for the Project.
- 4.13. **“Supplier”** means any person or entity that has a direct contract with a Contractor, Subcontractor or sub-subcontractor to provide products or materials for the Project.
- 4.14. **“Women’s Business Enterprise” (“WBE”)** means a small business in which at least 51% of the stocks or beneficial interest are owned by one or more women, or in the case of a publicly held corporation, in which 51% of the stock is owned by one or more women and whose management, policies, and daily business operations are independently managed and controlled by one or more economically disadvantaged women. This group includes any qualified Contractor, Consultant, Sub-consultant, Subcontractor or Supplier providing labor, services, products, or materials for the Project, which is a Certified WBE.
- 4.15. **“Work”** means the service required by the contract document, whether completed or partially completed, and includes all labor, materials, equipment and services provided or to be provided by the Contractor or Consultant to fulfill the Contractor’s or Consultant’s obligations. The work may constitute the whole or a part of the Project.



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**Note:** This is the Chicago Botanic Garden Supplier Diversity Policy and applies to all employees. The Supplier Diversity Program, which contains additional provisions, is available upon request. The Garden reserves the right to amend this Policy from time to time in its sole discretion. The Garden will attempt to communicate such changes in a timely fashion.

**Issued:** 9/10/12

**Revised:**

**Approved by:**

**Executive Vice President and Chief Financial Officer**