

Guidelines for Certificate of Good Faith Efforts (GFE)

The DBE/MCUB liaison officer will determine whether the bidder/proposer made sufficient good faith efforts to meet the goal based on a review of documentation of the following types of activities:

1. A statement of the bidder/proposer's overall plan for obtaining DBE/MCUB participation noting barriers or challenges encountered in obtaining DBE/MCUB participation. Specifically, detailing how all necessary and reasonable steps to achieve the DBE/MCUB goal or other requirements which, by their scope, intensity, and appropriateness to the objective of achieving the DBE/MCUB goal, could reasonably be expected to obtain sufficient DBE/MCUB participation - even if the bidder/proposer was not successful.
2. **The solicitation requirement is two-fold and includes the *initial solicitation* and *appropriate follow up with interested DBE/MCUBs*.** Evidence of solicitation efforts of DBE/MCUBs such as copies of requests for bids sent to DBE/MCUB firms with identification of the firms clearly stated; fax confirmation sheets displaying the date, fax number, name of DBE/MCUB firm, and status; list of all DBE/MCUB firms called, date, contact name and response; or email distribution lists with date and time clearly indicated. The solicitations to DBE/MCUBs should provide sufficient information about the type of work available on the project.
3. Identify the efforts made to select portions of work to be performed by DBE/MCUBs in order to increase the likelihood that the DBE/MCUB goal will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE/MCUB participation.
4. A detailed explanation of the reason for not accepting DBE/MCUB quotes. Please include copy of all quotes considered. Each non-accepted quote should be addressed individually. Provide an explanation of the efforts the bidder/proposer made to negotiate in good faith with interested DBE/MCUBs. Provide information about any cost comparisons that were considered in the decision to not accept DBE/MCUB quotes. **The fact that there may be some additional costs involved in finding and using DBE/MCUBs is not in itself sufficient reason for failure to meet the contract DBE/MCUB goal, as long as such costs are reasonable.** The bidder/proposer is not required to accept higher quotes from DBE/MCUBs if the price difference is excessive or unreasonable. If the BIDDER/PROPOSER makes such a determination it should provide a written explanation for this conclusion.
5. A detailed explanation of efforts to assist interested DBE/MCUBs in obtaining bonding, lines of credit, or insurance.
6. A detailed explanation of the efforts to assist interested DBE/MCUBs in obtaining necessary equipment, supplies, materials or related assistance or services.
7. A detailed explanation of the effective use by the bidder/proposer of the services of available minority/women community organizations; minority/women contractor's groups; local, state, and Federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to aid in the recruitment and placement of DBE/MCUBs.
8. Provide copies of any advertisements placed on hardcopy or websites. Advertisements should include information about the project(s), type(s) of work for which quotes are being solicited, and specific contact information for the bidder/proposer.

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The bidder/proposer must show that it took all necessary and reasonable steps to achieve the DBE/MCUB goal which by their scope, intensity and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE/MCUB participation, even if not fully successful. The criteria for evaluating good faith efforts is described in [49 CFR, Part 26, Appendix A](#). Bidders/proposers submitting good faith efforts information should address the following factors in its Good Faith Efforts Information submission. The information below is not a mandatory list, nor is it exclusive or exhaustive.

Criteria 1: "Solicitation Efforts"

1. Did the BIDDER/PROPOSER use the current [DBE/MCUB Directory](#) to identify DBE/MCUBs?
2. Did the BIDDER/PROPOSER perform sufficient solicitations given the amount of work to meet the DBE/MCUB goal?
3. Did the BIDDER/PROPOSER break out and solicit for work in economically feasible units?
4. Did the BIDDER/PROPOSER solicit for work that it otherwise would self-perform?
5. Were DBE/MCUBs with business operations in close geographic proximity to the project solicited?

Criteria 2: "Timely Notice"

1. Did the BIDDER/PROPOSER send timely written (e-mail/fax) solicitation notices to certified DBE/MCUB firms?
2. Did the solicitation notice include the following:
 - a. Name and location of project
 - b. Bid date
 - c. Scope of work requested
 - d. Location where DBE/MCUB's can review plans and specifications
 - e. Date and time to submit quote
 - f. Contact name for technical assistance
 - g. Any special requirements

Criteria 3: "Finance and Bonding Outreach"

1. Did the BIDDER/PROPOSER aid in providing contacts for possible bonding, insurance and lines of credit?
2. Did the BIDDER/PROPOSER aid in providing technical assistance in these areas?

Criteria 4: "BIDDER/PROPOSER follow-Up"

1. Did the contractor maintain a "follow-up log" from the initial solicitation? The log must show:
 - a. Type of contact (fax, telephone, e-mail)
 - b. Name of contact person
 - c. Name of DBE/MCUB firm
 - d. Date and time of DBE/MCUB contacted
 - e. Response received
 - f. Reason for DBE/MCUB not bidding project (if applicable)

Criteria 5: "BIDDER/PROPOSER DBE/MCUB Program Outreach and Support"

1. Did the BIDDER/PROPOSER host DBE/MCUB informational workshops and/or attend Metropolitan Council sponsored DBE/MCUB events, such as networking sessions, DBE/MCUB conferences, DBE/MCUB/Contractors meetings, etc.?
2. Did the BIDDER/PROPOSER contact minority business organizations about DBE/MCUB opportunities?