

## **Good Faith Efforts**

The provisions of this section apply to all contracts that are **over \$125,000 and are not part of the set-a-side program.**

It is a qualification for contract approval that bidders objectively demonstrate to the owner positive efforts to meet **the City's 25% goal for the use of minority and women-owned small businesses (“Targeted Enterprises”) in the project.**

If a bidder fails to meet the Targeted Enterprise goals outlined herein, the owner will determine whether the bidder actively and aggressively sought to meet the goals. A bidder shall provide evidence of at least four of the following good faith effort accomplishments in order to establish that it made a reasonable good faith effort to meet the owners contract goals:

1. Bidders shall notify business development centers and Targeted Enterprises of their intention to solicit participation prior to the bid opening. Such notification shall be by certified or registered letter.
2. The placing of the subcontracting opportunity on an approved City Construction Opportunity website at least 10 days in advance of selection.
3. The placing of advertisements in at least two local newspapers and at least one specialist publication aimed at small contractors not less than two weeks prior to submittal of bid or proposal.
4. The verification of quotes received from subcontractors that were denied.
5. The verification of outreach to and collaboration with the Regional Contractors Alliance.
6. A detailed description of any other attempts or efforts to encourage MBE participation.
7. The Owner will review the three lowest bids to determine whether goals for Targeted Enterprises have been achieved or satisfactory documentation of a good faith effort has been provided. The three apparent low bidders will be required to provide the owner with the bid documents received from the sub-contractor to be used on the project together with a list containing the name, address, telephone number, trade, contact person, and the total dollar amount of each sub-contract.
8. If the bidder has not achieved the goals for Targeted Enterprise participation, the owner shall determine whether a good faith effort to achieve the goals was made.