



Prime Contractor _____ State Project # _____

Certificate of Good Faith Efforts Consolidated Form (GFE Form) Instructions

This form consolidates the Certificate of Good Faith Efforts, the Good Faith Efforts Affidavit, and the Bidders List in the DBE Special Provisions and is referred to as the GFE Consolidated form. All parts of this form must be completed unless otherwise stated in the section's heading. The Apparent Low Bidder (ALB) must complete this form and submit it with the Good Faith Efforts Information by the Submission Due Date as defined in the DBE Special Provisions. Prime contractors may also use this form to demonstrate good faith efforts when a DBE is replaced after the contract is awarded.

The ALB should include in its Good Faith Efforts Information a cover letter addressed to the Mn/DOT Office of Civil Rights. The cover letter should identify in detail the efforts the ALB made to meet the DBE goal. The ALB is required to thoroughly document its solicitation efforts and justify any bids, quotes or proposals it rejects from properly certified DBE firms. **THE COVER LETTER SHOULD INCLUDE EACH OF THE FACTORS IDENTIFIED IN 49 C.F.R. Part 26, App. A, SUMMARIZED AS FOLLOWS:**

1. This GFE Consolidated Form must be completed. Please note that **“Part D - SOLICITATION OF SUBCONTRACTORS, SUPPLIERS, AND SERVICE PROVIDERS”** on pg. 4, and **“Part G – DBES QUOTED BUT NOT SELECTED”** on pg. 7 are to be completed ONLY IF the DBE goal is NOT met.
2. A statement of the ALB's overall plan for obtaining DBE participation noting barriers or challenges the ALB encountered in obtaining DBE participation. Specifically, detailing how all necessary and reasonable steps to achieve the DBE goal or other requirements which, by their scope, intensity, and appropriateness to the objective of achieving the DBE goal, could reasonably be expected to obtain sufficient DBE participation - even if the ALB was not successful.
3. **The solicitation requirement is two-fold and includes the *initial solicitation* and appropriate *follow up* with interested DBEs.** Evidence of solicitation efforts of DBEs such as copies of requests for bids sent to DBE firms with identification of the firms clearly stated; fax confirmation sheets displaying the date, fax number, name of DBE firm, and status; list of all DBE firms called, date, contact name and response; or email distribution lists with date and time clearly indicated. The solicitations to DBEs should provide sufficient information about the type of work available on the project.
4. Identify the efforts made to select portions of work to be performed by DBEs in order to increase the likelihood that the DBE goal will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation.
5. A detailed explanation of the reason for not accepting DBE quotes. Please include copy of all quotes considered. Each non-accepted quote should be addressed individually. Provide an explanation of the efforts the ALB made to negotiate in good faith with interested DBEs. Provide information about any cost comparisons that were considered in the decision to not accept DBE quotes. **The fact that there may be some additional costs involved in finding and using DBEs is not in itself sufficient reason for an ALB's failure to meet the contract DBE goal, as long as such costs are reasonable.** The ALB is not required to accept higher quotes from DBEs if the price difference is excessive or unreasonable. If the ALB makes such a determination it should provide a written explanation for this conclusion.
6. A detailed explanation of the ALBs efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance.
7. A detailed explanation of the ALBs efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials or related assistance or services.
8. A detailed explanation of the effective use by the ALB 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 provide assistance in the recruitment and placement of DBEs.
9. 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 ALB.

Contact the Mn/DOT Office of Civil Rights if you have any questions; main line 651-366-3073



Prime Contractor _____ State Project # _____

Guidelines for Certificate of Good Faith Efforts (GFE) Consolidated Form

The Apparent Low Bidder (ALB) must show that it took all necessary and reasonable steps to achieve the DBE goal which by their scope, intensity and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if not fully successful. The criteria for evaluating good faith efforts is described in 49 CFR, Part 26, Appendix A which can be found at <http://www.osdbu.dot.gov/DBEProgram/>. ALBs 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 ALB use the current DBE Directory to identify DBEs?
2. Did the ALB perform sufficient solicitations given the amount of work to meet the DBE goal?
3. Did the ALB break out and solicit for work in economically feasible units?
4. Did the ALB solicit for work that it otherwise would self-perform?
5. Were DBEs with business operations in close geographic proximity to the project solicited?

Criteria 2: "Timely Notice"

1. Did the ALB send timely written (e-mail/fax) solicitation notices to certified DBE 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'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 ALB offer assistance by providing contacts for possible bonding, insurance, and lines of credit?
2. Did the ALB offer assistance by providing technical assistance in these areas?

Criteria 4: "ALB 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 firm
 - d. Date and time of DBE contacted
 - e. Response received
 - f. Reason for DBE not bidding project (if applicable)

Criteria 5: "ALB DBE Program Outreach and Support"

1. Did the ALB host DBE informational workshops, attend Minnesota Department of Transportation (Mn/DOT) sponsored DBE events; such as networking sessions, DBE conferences, DBE/ALB meetings, etc.?
2. Did the ALB contact minority business organizations about DBE opportunities?

Note: The Submission Due Date is **the fifth business day after the bid letting date** in accordance with the Mn/DOT DBE Special Provisions. Contact the Mn/DOT Office of Civil Rights if you have any questions; main line 651-366-3073

Prime Contractor _____ State Project # _____

**MINNESOTA DEPARTMENT OF TRANSPORTATION
OFFICE OF CIVIL RIGHTS
CERTIFICATE OF GOOD FAITH EFFORTS CONSOLIDATED FORM**

This Certificate of Good Faith Efforts Consolidated form (GFE Consolidated form) is required to demonstrate that the Apparent Low Bidder (ALB) either met the DBE goal, or made adequate good faith efforts to meet the DBE goal pursuant to 49 C.F.R. Part 26, Appendix A. Please refer to the instruction sheet prior to completing the form. This form and all supporting Good Faith Efforts documentation must be provided to the Mn/DOT Office of Civil Rights prior to the Submission Due Date as defined within the DBE Special Provisions.

PART A – PRIME CONTRACTOR’S INFORMATION (All Primes complete this section.)				
COMPANY NAME				
ADDRESS	STREET	CITY	STATE	ZIP CODE
PHONE #	FAX #		EMAIL ADDRESS	
CONTACT PERSON			TITLE	

PART B - PROJECT DESCRIPTION (All Primes complete this section.)				
STATE PROJECT #		CONTRACT # (If Applicable)		<input type="checkbox"/> Attach copy of Mn/DOT Advertisement
ANTICIPATED START DATE (Based on progress schedule)			EXPECTED COMPLETION DATE (Based on progress schedule)	
DBE GOAL	%	VS	DBE COMMITMENT	(Type of GFE Information – Check one only)
			%	<input type="checkbox"/> Pre-award <input type="checkbox"/> Post-award/Execution
TOTAL DBE PARTICIPATION DOLLARS BASED ON ADVERTISED DBE GOAL (Total prime bid \$ * DBE % Goal)				

PART C – PROJECT SUMMARY AMOUNTS (All Primes complete this section.)	
TOTAL PRIME BID	\$
TOTAL DOLLARS COMMITTED TO NON-DBE’S (Not including suppliers)	\$
TOTAL DOLLARS COMMITTED TO DBE’S (Not including suppliers)	\$
TOTAL DOLLARS COMMITTED TO DBE SUPPLIERS (Total paid to DBE suppliers 60%)	\$
WORKED PERFORMED BY PRIME	\$
PERCENT OF WORK PERFORMED BY PRIME	%
TOTAL DBE PARTICIPATION REMAINING (Difference between DBE goal \$ and DBE commitment \$)	\$

PART D – SOLICITATION OF SUBCONTRACTORS, SUPPLIERS, AND SERVICE PROVIDERS (Complete this part only if DBE goal is not met.)

List all subcontractors solicited, both DBE and non-DBE contractors, truckers and suppliers for this specific project. Include initial contact and follow-up dates, as well as methods of contact (Phone, Fax, Email, etc.).

The good faith effort submission should include evidence of the solicitation effort such as; copies of request for bids sent to DBE firms with the name of the DBE firms clearly identified; fax confirmation sheets showing the date, fax number, name of DBE firm, confirmation the fax was sent; list of all DBE firms called, time of call, person contacted and response; or email lists with time/day sent clearly indicated etc.

Subcontractor/Supplier/Service provider	DBE?		Phone #	Dates, Method of Contact		Description of Work	Dollar Amount of Quote
	Yes	No		DATES	METHODS		
1	<input type="checkbox"/>	<input type="checkbox"/>					
2	<input type="checkbox"/>	<input type="checkbox"/>					
3	<input type="checkbox"/>	<input type="checkbox"/>					
4	<input type="checkbox"/>	<input type="checkbox"/>					
5	<input type="checkbox"/>	<input type="checkbox"/>					
6	<input type="checkbox"/>	<input type="checkbox"/>					
7	<input type="checkbox"/>	<input type="checkbox"/>					
8	<input type="checkbox"/>	<input type="checkbox"/>					
9	<input type="checkbox"/>	<input type="checkbox"/>					
10	<input type="checkbox"/>	<input type="checkbox"/>					
	<input type="checkbox"/>	<input type="checkbox"/>					
	<input type="checkbox"/>	<input type="checkbox"/>					

Make additional copies of this page as necessary.

PART E - DBE COMMITMENTS (All Bidders complete this section.)

DBEs COMMITMENTS List only DBEs who have executed Exhibit A forms.				Description of Work	Dollar Amount Of Bid/Proposal.
<u>DBE Contractor Information</u>					
1.	DBE Contractor Name				
	Contact Name				
	Address				
	Federal Tax #	E-mail			
	Phone	Fax:			
2.	DBE Contractor Name				
	Contact Name				
	Address				
	Federal Tax #	E-mail			
	Phone	Fax			
3.	DBE Contractor Name				
	Contact Name				
	Address				
	Federal Tax #	E-mail			
	Phone	Fax			
4.	DBE Contractor Name				
	Contact Name				
	Address:				
	Federal Tax #	E-mail			
	Phone	Fax			
5.	DBE Contractor Name				
	Contact Name				
	Address:				
	Federal Tax #	E-mail			
	Phone	Fax			

Make additional copies of this page as necessary.

PART F – NON-DBE QUOTES SUBMITTED (All Bidders complete this section.)

NON-DBE COMMITMENTS

List all non-DBE firms who provided quotes or bid proposals. Indicate whether the quotes were accepted. **Please include copy of their quote(s).**

NON-DBE Contractor Information

				Description of Work	Dollar Amount Of Bid/Proposal.	Will Firm Be Used?
1.	NON-DBE Contractor Name					Y or N
	Contact Name					
	Address					
	Federal Tax #	E-mail				
	Phone	Fax:				
2.	NON-DBE Contractor Name					Y or N
	Contact Name					
	Address					
	Federal Tax #	E-mail				
	Phone	Fax				
3.	NON-DBE Contractor Name					Y or N
	Contact Name					
	Address					
	Federal Tax #	E-mail				
	Phone	Fax				
4.	NON-DBE Contractor Name					Y or N
	Contact Name					
	Address:					
	Federal Tax #	E-mail				
	Phone	Fax				

PART G - DBEs QUOTED BUT NOT SELECTED (All Bidders complete this section)

If DBE quotes were rejected, attach a separate sheet of paper explaining the specific basis for rejecting any DBE quote.

Note: Additional cost is not in itself sufficient reason for rejecting a DBE quote. However, prime contractors need not accept excessive or unreasonable DBE quotes. The contractor's standing within its industry, membership in specific groups (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bid in the contractor's efforts to meet the project goal. (See Instructions attached to this form.). **Please include copy of their quote(s).**

QUOTED DOLLARS	DBEs WHO QUOTED, BUT WERE NOT SELECTED	TYPE OF WORK QUOTED	REASON NOT SELECTED
1.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
2.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
3.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
4.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
5.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
6.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
7.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
8.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
9.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
10.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
11.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
12.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
13.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
14.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
15.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
16.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
17.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
18.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
19.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
20.			Clearly state specific basis for rejecting the DBE on a separate sheet of paper
NUMBER OF DBEs SOLICITED			

PART H – CERTIFICATION / GOOD FAITH EFFORTS AFFIDAVIT (All Primes complete this section.)

STATE OF MINNESOTA
COUNTY OF _____

I, _____, being first duly sworn, state as follows:

(Full Name)

1. I am the _____ of

(Title)
Corporation)

(Name of Individual, Company, Partnership, or

that has been identified as the apparent low bidder of the State Project

- 2. I have the authority to make this affidavit for and on behalf of the apparent low bidder.
- 3. The information provided in the attached Certificate of Good Faith Efforts is true and accurate to the best of my belief.

SIGNATURE (Bidder or Authorized Representative)	TITLE	DATE

Subscribed and sworn to before me
This _____ day of _____, 20_____

Notary Public

My commission expires _____, 20_____

Under Sec. 26.107 of “49 CFR Part 26,” dated February 2, 1999, if at any time, the Department or a recipient has reason to believe that any person or firm has willfully and knowingly provided incorrect information or made false statements, the Department may initiate suspension or debarment proceedings against the person or firm under 49 CFR Part 29, take enforcement action under 49 CFR Part 31, Program Fraud and Civil Remedies, and/or refer the matter to the Department of Justice for criminal prosecution under 18 U.S.C. 1001, which prohibits false statements in Federal program.

