

COUNTY OF CUYAHOGA, OHIO OFFICE OF PROCUREMENT AND DIVERSITY

DIVERSE BUSINESS ENTERPRISE PROGRAM

Ordinance Number 02016-0005

The SBE program is hereby expanded to allow OPD to set aspirational MBE/WBEs subcontractor participation goals for every RFB, RFP and RFQs issue by the County based upon available information including, but not limited to, the disparity study.

GOOD FAITH EFFORTS



AGGRESSIVE “GOOD FAITH EFFORT”

- ▣ Aggressive “Good Faith Efforts” to include DIVs in the procurement process are required of all Participants and should be the regular and customary solicitation process of contact with potential subcontractors and/or vendors.

PROCESS

- ▣ Written Notice to SBE/MBE/WBEs
 - Participant shall deliver written or electronic notice to potential DIVs.
- ▣ Evaluation of Good Faith Effort
 - OPD will determine whether the Participant has made reasonable good faith efforts to obtain SBE/MBE/WBE participation.
- ▣ Required Documentation
 - Participant shall keep detailed records of all correspondence and responses
- ▣ Good Faith Effort Certification
 - Participant must submit a complete Good Faith Certification (DIV-3 form)
- ▣ OPD's determination
 - In light of information submitted, OPD will inform Participants with details of evaluation's results.

Written Notice to DIVs

- Participant shall:
 - Deliver written or electronic notice to potential DIVs.
 - Notice contents:
 - Sufficient information about:
 - Plans
 - Specifications
 - Relevant terms and conditions of solicitation.
 - Should include information about the work which will be subcontracted or the goods which will be obtained from subcontractors and suppliers;
 - Contact Person
 - knowledgeable of the project scope documents, within the Participant's office, to answer questions about the conditions of the contract;
 - Information as to the Participant's bonding requirements
 - The dead line for price quotations.

Evaluation of Good Faith Effort

- ▣ OPD will determine Good Faith Efforts results based on:
 - Participant has reasonable good faith efforts as part of its bid proposal.
 - Evaluation of not only the different kind of efforts, but also the quantity and intensity of those efforts.
 - Completed Good Faith Effort Certification (DIV-3, pages, found in the attached DIV Vendor's Manual)

Required Documentation

- ▣ To demonstrate good faith efforts, participant shall keep:
 - Detailed records of all:
 - ▣ Correspondence and responses thereto
 - ▣ Logs of all telephone calls made and received regarding the project or contract,
 - ▣ Confirmation receipt for fax transmissions
 - ▣ Receipts from registered or certified mail
 - ▣ Copies of advertisements in publications and other media
 - ▣ Other relevant papers required by this Program.

Good Faith Effort Certification

- ▣ Participant must submit a completed Good faith Certification (DIV-3, found in the attached DIV Vendors' Manual)
 - ONLY if the DIV participation Goal is not met.
- ▣ Additional documentation demonstrating good faith effort must accompany the checklist
- ▣ The completed document must contain an original signature, notarizations, and date of signature.

OPD's Determination

- Based on information received, OPD will prepare and submit letter to Participant with details of evaluation's results.