

COUNTY OF CUYAHOGA, OHIO
OFFICE OF PROCUREMENT AND
DIVERSITY

SMALL BUSINESS ENTERPRISE PROGRAM

Ordinance Number 02011-0054

XI. GOOD FAITH EFFORTS



AGGRESSIVE “GOOD FAITH EFFORT”

- ▣ Aggressive “Good Faith Efforts” to include SBEs 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 SBEs
 - Participant shall deliver written or electronic notice to potential SBEs.
- ▣ Evaluation of Good Faith Effort
 - OPD will determine whether the Participant has made reasonable good faith efforts to obtain SBE participation.
- ▣ Required Documentation
 - Participant shall keep detailed records of all correspondences and responses
- ▣ Good Faith Effort Certification
 - Participant must submit a complete Good Faith Certification (SBE-3 form) ONLY if the SBE participation goal is not met
- ▣ OPD's determination
 - Based on the information submitted, OPD will make a determination.

Written Notice to SBEs

- Participant shall:
 - Deliver written or electronic notice to potential SBEs.
 - Visit the OPD website (<http://opd.cuyahogacounty.us/>) for a current listing of the County certified SBEs.
 - At least one (1) week before the bid/proposal due date. Note: vendors are strongly encouraged to deliver written or electronic notices well in advance of the one week deadline.
 - Notice contents:
 - Sufficient information about:
 - Plans
Note: Vendors are strongly encouraged to provide access to plans and specifications.
 - Specifications
Note: Vendors are strongly encouraged to provide access to plans and 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 should be:
 - knowledgeable of the project scope documents and available and accessible to answer questions about the conditions of the contract;
 - Information as to the Participant's bonding requirements
 - The dead line for submission of price quotations.

Evaluation of Good Faith Effort

- ▣ OPD will determine Good Faith Efforts results based on:
 - Evaluation of not only the different kind of efforts, but also the quantity and intensity of those efforts.
 - Review and evaluation of the completed Good Faith Effort Certification (SBE-3 pages found in the SBE Vendor's Manual)

Required Documentation

- To demonstrate good faith efforts, participants shall keep and provide in and/or with their Good Faith Effort Certification:
 - Detailed records of all:
 - Correspondences and responses thereto
Note: Please follow-up faxes/emails with telephone calls to the SBE vendors.
 - Logs of all telephone calls made and received regarding the project or contract
Note: Please note responses received from SBE vendors and attach quotes received from SBE vendors.
 - Confirmation receipt for fax transmissions
 - Receipts from registered or certified mail
 - Copies of advertisements in publications and other media
Note: Please detail the initial advertisement date for each publication
 - Other relevant papers required by this Program.
 - Explanation for rejection of quotes
 - Explanation of what qualifications and certifications/licenses were required and which ones were met and not met by the SBE vendors.

Good Faith Effort Certification

- Participant must submit a completed Good Faith Certification (SBE-3, found in the SBE Vendors' Manual)
 - ONLY if the SBE 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 submitted, OPD will make a determination.