

CBI FORM 5: Good Faith Effort (GFE) and Statement of GFE Compliance

Bidder Name:	
Project Name:	
Project Number:	

Per Part B, Section 5 and Part C, Section 5 of the CBI Policy, if a Bidder has not fully met the **established Subcontracting Goal(s)** for this project, then the Bidder must document it has met the GFE requirements by completing this Form. GFE Points will be calculated, independently, for each Subcontracting Goal that is not met. For instance, if the Bidder fails to meet MBE or the SBE goal that was set, the Bidder will have to earn the minimum GFE points for MBEs and SBEs.

Detailed information of the City’s GFE requirements can be found in the CBI Policy, Part B, Section 5 and Part C, Section 5. The Bidder must submit CBI Form 5 within three (3) Business Days after the City requests it, unless specified otherwise in the City Solicitation Documents. Failure to do so constitutes grounds for rejection of the Bid. Below is a list of Good Faith Efforts as defined in Part B, Section 5 and Part C Section 5. To the left of each item is the number of points assigned to that item. Please place an “X” in the first column for each item you are claiming credit. Failure to achieve the minimum number of Good Faith Efforts points stated in the box below constitutes grounds for rejection of your bid.

NOTE: All actions necessary to earn GFE Points must be undertaken prior to Bid Opening.

Total Available GFE Points is: 145		Minimum Number of GFE Points Required for this Project is: 50
Points	Good Faith Effort (GFE)	
<input type="checkbox"/>	10	<p>Section 5.3.1: Contacts. The Bidder must contact SBEs and MBEs in a manner reasonably calculated to meet the established Subcontracting Goal(s) for the Contract. Factors considered may include but are not limited to:</p> <ul style="list-style-type: none"> (a) The number of available MBEs or SBEs contacted; (b) Whether the Bidder directed its contacts to MBEs and/or SBEs listed as performing scopes of work sufficient to meet the MBE or SBE goals; (c) Whether the contacts were made at least 10 Days before Bid Opening; (d) How the contacts were made and whether they were documented in a verifiable way (and in compliance with any forms provided by the City); (e) Whether the substance of the Bidder’s solicitation was reasonably sufficient to generate a response from MBEs or SBEs; (f) Whether the Bidder promptly and adequately responded to inquiries received from MBEs or SBEs; and (g) Whether the Bidder made follow up contacts to MBEs or SBEs that did not respond to the Bidder’s initial contact.
<input type="checkbox"/>	10	<p>Section 5.3.2: Making Plans Available. To receive credit for this GFE, the Bidder must: (i) make “Project Documents” (as defined below) available for inspection by MBEs and/or SBEs at least 10 Days before Bid Opening; and (ii) notify the MBEs or SBEs contacted under GFE 5.3.1 of the way in which Project Documents will be made available.</p> <p>A Bidder may receive credit for GFE 5.3.2 only if it receives credit for GFE 5.3.1 (Contacts), and only if it responds promptly to any requests made for access to the Project Documents.</p>
<input type="checkbox"/>	10	<p>Section 5.3.3: Breaking Down Work. The Bidder must demonstrate to the City’s satisfaction that it broke down or combined elements of work into economically feasible units to facilitate MBE and SBE participation. In awarding points, the City will consider the number and dollar value of the scopes of work the Bidder listed in its written invitation for participation by MBEs or SBEs, whether those scopes would be sufficient to meet the established Subcontracting Goal and how the Bidder notified MBEs or SBEs of its willingness to break down the work into such units. Simply restating the City’s subcontracting scopes as listed in the City’s Solicitation Documents will not earn this GFE. A Bidder may receive credit for this GFE only if it receives credit for GFE 5.3.1 (Contacts).</p>

<input type="checkbox"/>	10	<p>Section 5.3.4: Working With MBE/SBE Assistance Organizations. The Bidder must document that it worked with an Assistance Organization for MBEs and SBEs to provide assistance in recruiting MBEs or SBEs for the Contract for which Bids are sought.</p>
<input type="checkbox"/>	10	<p>Section 5.3.5: Attendance at Pre-Bid. To receive credit for this GFE, the Bidder must attend any pre-bid meetings scheduled by the City for the Contract in question.</p>
<input type="checkbox"/>	20	<p>Section 5.3.6: Bonding or Insurance Assistance on Construction Contract. The Bidder must assist a MBEs or SBEs in getting required bonding or insurance coverage for the Contract at issue or provide alternatives to bonding or insurance for MBEs or SBEs. To document satisfaction of this GFE, the Bidder must submit: (a) the name of the MBE or SBE; (b) a description of the assistance the Bidder provided; (c) the date the Bidder provided the assistance; (d) the name of a contact person with the MBEs or SBEs who can verify that the Bidder provided the assistance; and (e) any additional information requested by the City. No credit will be given for assistance provided to an Affiliate of the Bidder. In deciding whether to award points for this GFE, the City will consider how significant and meaningful the assistance was, how many MBEs or SBEs it was offered to, and what impact it likely had on the Bidder's efforts to recruit MBEs or SBEs for the project.</p>
<input type="checkbox"/>	10	<p>Section 5.3.7: Negotiating in Good Faith with MBEs/SBEs. The Bidder must: (a) demonstrate that it negotiated in good faith with interested MBEs or SBEs (which means showing at least some back and forth negotiation between the Bidder and MBEs or SBEs); (b) demonstrate that it did not reject any MBEs or SBEs as unqualified without sound reasons based on their capabilities; (c) document in writing the reasons for rejecting any MBEs or SBEs for lack of qualification.</p>
<input type="checkbox"/>	25	<p>Section 5.3.8: Financial Assistance. The Bidder must provide one of the following types of assistance to an MBEs or SBEs in connection with the Contract: (a) assistance in obtaining equipment, a loan, capital, lines of credit, (b) joint pay agreements or guaranties to secure loans, the purchase of supplies, or letters of credit, including waiving credit that is ordinarily required; or (c) assistance in obtaining the same unit pricing with the Bidder's suppliers as the Bidder. To receive credit for this GFE, Bidders must document: (a) the name of the MBEs or SBEs; (b) the description of the assistance the Bidder provided; (c) the date the Bidder provided the assistance; and (d) the name of a contact person with the MBEs or SBEs who can verify that the Bidder provided the assistance. No credit will be given for assistance provided to an Affiliate of the Bidder. In deciding whether to award points for this GFE, the City will consider how significant and meaningful the assistance was, how many MBEs or SBEs it was offered to, and what impact it likely had on the Bidder's efforts to recruit MBEs or SBEs for the project.</p>
<input type="checkbox"/>	20	<p>Section 5.3.9: Entering Into Joint Venture. To receive credit for this GFE, the Bidder must demonstrate that it negotiated a Joint Venture or partnership arrangement with one or more MBEs or SBEs, as applicable, on the Contract. To receive credit for this GFE, Bidders must document; (a) the name of the MBEs or SBEs; (b) a description of the Joint Venture or partnership; (c) evidence of the date the MBEs or SBEs entered into the agreement; and (d) the name of a contact person with the MBEs or SBEs who can verify the terms of the agreement. No credit will be given for a joint venture with an Affiliate of the Bidder.</p>
<input type="checkbox"/>	20	<p>Section 5.3.10: Quick Pay Agreements on the Construction Contract Up For Award. For purposes of this Section, the term "Quick Pay Commitment" means an agreement or policy commitment to pay all MBEs or SBEs participating in the Contract within 20 Days after the Contractor confirms that the MBE, SBE has properly performed and the MBE's or SBE's work has been properly completed. To receive credit for this GFE, Bidders must provide the City with a copy of the Quick Pay Commitment and documentation showing that the Bidder informed each MBEs or SBEs about the Quick Pay Commitment as part of the Bidder's MBEs or SBEs contacts under Section 5.3.1. No Bidder will receive credit for (i) any statement indicating that the Bidder will consider entering into a Quick Pay Commitment or (ii) any statement made verbally but not in written form to communicate the Quick Pay Commitment. A Bidder may receive credit for this GFE only if it receives credit for GFE 5.3.1(Contacts)</p>

Total GFE Points (Claimed by Bidder) _____ Total GFE Points Earned (Assessed by City) _____