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**Good Faith Effort Compliance Plan - Weighted** for WMBE/SLBE Subcontracting

**Contract No: \_\_\_\_\_\_\_\_\_\_\_ Contract Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Bid Date:\_\_\_\_\_\_\_\_\_\_**

**Bidder: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_**

**Print Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Title:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Pursuant to City Ordinance 26.5 Equal Business Opportunity Program, the bidder shall submit a compliance plan detailing its achievement of the goal(s). The following Compliance Plan is a true report of Good Faith Effort (GFE) action steps to accomplish subcontracting goals for Women/Minority Business Enterprises (WMBEs) and/or Small Local Business Enterprises (SLBEs). Check the appropriate box below:**

**□ The goal(s) for WMBE/SLBE participation HAS been met or exceeded. Use form MBD 10 (Solicited) and form MBD 20 (Utilized) to report ALL subcontractors.**

**□ The goal for WMBE/SLBE participation has NOT been met. The action steps below shall be performed with documented evidence to comply with the GFE Requirement. Conducting cursory outreach, such as solicitation without follow-up or simple submission of forms is not genuine Good Faith Effort (i.e., “Pro-Forma Effort”).**

**Note: Each GFE action step has a range of weighted points. The bidder’s level of effort, as substantiated by documented evidence, will determine points awarded. To be deemed compliant, bidder must achieve a minimum score of 75 points.**

 1. To qualify for points under this criterion, the participation attained by the bidder toward the established goal, must not be less than the average participation attained by all bids submitted. (**0 - 20 points**)

 2. Selecting portions of the work to be performed by WMBE/SLBEs in order to increase the likelihood that the goals will be met. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate WMBE/SLBE participation, even when the Bidder might otherwise prefer to consolidate these work items.

* Did bidder segment individual work scopes to accommodate WMBEs/SLBEs’ ability to perform (e.g., adjusted scopes/quantities)?

 (**0 - 5 points)**

 3. Soliciting through reasonable and available means the interest of WMBEs/SLBEs that can perform the sub-work of the contract. The Bidder must solicit this interest within sufficient time to allow the WMBEs/SLBEs to respond. The Bidder must take appropriate steps to follow up initial solicitations with interested WMBEs/SLBEs. **(0 – 26 Points)**

* Did bidder solicit all subcontractors on the **“WMBE/SLBE Subcontractor Contact List”** no less than 7 business days prior to bid opening**? (0 – 13 points)**
* Did bidder make follow-up contact subsequent to the initial contact at least 2 business days before bid date? Bidder must follow-up with each WMBE/SLBE that did not reply. (**0 - 13 points)**

 4. Providing interested WMBEs/SLBEs access to adequate information about the plans, specifications, and requirements of the contract, including addenda, in a timely manner to assist them in responding to the solicitation. (**0 - 15 points, 5 points for each question)**

* Did bidder provide WMBEs/SLBEs with a copy of the project documents and the segmented sub-work via e-mail, fax, mail, website, etc.?
* Did bidder provide the necessary physical access (i.e., business location, plan room, alternate location) and adequate time to review documents?
* Did bidder make the documents and information freely available to WMBEs/SLBEs?

 5. Negotiating in good faith with interested WMBEs/SLBEs that submitted quotes. Documentation of negotiation(s) must include: copies of quotes, names, addresses, phone numbers, date of negotiation, description of specific quantities and/or alternate scopes of work; evidence as to why agreements could not be reached to perform the work. Note: Any costs involved in soliciting and using WMBEs/SLBEs is not a sufficient reason for a bidder’s failure to meet the goals. However, bidders are not required to accept excessive/non-competitive quotes in order to meet the goal, but must substantiate the rationale and submit copies of the competing quotes. **(0 – 13 Points)**

* Did bidder take actions to negotiate with interested WMBE/SLBE subcontractors, and document its efforts?

 (**0 – 13 points)**

 6. Making a portion of the work available to WMBE/SLBE subcontractors and suppliers for work not identified on the **“WMBE/SLBE Goal Setting Firms Report”** and to select those portions of the work or material consistent with the available WMBE/SLBE subcontractors and suppliers, so as to facilitate meeting the established goal. **(0 – 10 Points)**

* Did bidder provide portions of work not identified in the WMBE/SLBE subcontracting availability listing? (**0 - 5 points)**
* Did bidder achieve participation within a category of work not identified on the Goal Setting Firms Report? (**0 - 5 points)**

 7. Making good faith efforts, despite the ability of a Bidder to perform the work of a contract with its own organization. A Bidder who desires to self-perform the contract must demonstrate good faith efforts unless the goal has been met. (**0 – 5 points)**

* Did bidder unbundle the work that they are able to self-perform? **( 0 – 2.5 Points)**
* Did bidder provide subcontracting opportunities that target WMBE/SLBEs who are available to quote? **( 0 – 2.5 Points)**

 8. Making efforts to assist interested WMBEs/SLBEs in obtaining bonding, lines of credit, or insurance as required by the city or bidder.

* Did bidder offer WMBE/SLBE subcontractors an affidavit or MOU to submit with their quote requesting if they are in need of assistance?

 Provide copy of document outlining terms and conditions. (**0 - 2 points)**

 9. Making efforts to assist interested WMBEs/SLBEs in obtaining necessary equipment, supplies, materials, or related assistance or services, including participation in a City sanctioned mentor-protégé program.

* Did bidder offer WMBE/SLBE subcontractors an affidavit or MOU to submit with their quote requesting if they are in need of assistance?

 Provide copy of document outlining terms and conditions. (**0 - 2 points)**

10. Effectively using the services of the City and other organizations that provide assistance in recruitment and placement of WMBEs/SLBEs.

* Did bidder utilize City and/or other resource agencies to assist in recruitment/placement of WMBE/SLBE subcontractors? (**0 - 2 points)**

Form MBD 55-W

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**City of Tampa Equal Business Opportunity Program**

**Compliance Plan-Weighted: Guidance for Meeting Good Faith Efforts**

1. The bidder will not be awarded any points if their score is less than the average goal achieved by all bids submitted. Points are calculated by dividing the goal attained by the bidder into the average goal attained by all bidders. For example, the project goal was 20%. There were 5 bidders who attained goal percentages of 15%, 18%, 6%, 12%, and 20%. To calculate the average goal, add all 5 goal percentages (15 + 18 + 6 + 12 + 20 = 71). Divide by the number of bids (5) = **14.2% average goal**. The bidder is not eligible for awarding of points if their average goal is less than 14.2%. The low bidder attained a goal of 15%. Therefore, in this example, the bidder is qualified to receive points. Points are assigned in the following method: Divide Bidder’s goal (15%) by project goal (22%) equals percent of points awarded (15/22 = .68). Percent of points (.68) multiplied by project goal (22) = .68 x 22 = 14.96 or **15 points awarded (Note: Percentages will be rounded up.** 0 – 20 points)

1. Bidder should identify areas within the scope, selecting portions of work that may be further divided to increase subcontracting opportunities. Possible ways to accomplish this action step include: unbundle elements under the scope of work, and identifying suppliers and/or ancillary services that may be subcontracted. (0 to 5 points)
2. Initial solicitation of all firms on the WMBE/SLBE Goal Setting Lists must be performed no less than seven (7) business days prior to bid opening. The follow-up solicitation must occur at least two (2) business days before bid date, including those that did not reply. Provide a log(s) documenting dates, times, methods of contact (i.e. email, fax, letters, phone calls, and other communication with the listed firms). Other opportunities for subcontracting may be explored by consulting the City of Tampa WMBE/SLBE certification directories.

Make sure your solicitations contain project name and location, specific trades you are requesting, and name of contact person from your company. The MBD-10-Solicited and MBD-20-Utilized forms must be completed in their entirety for **all** firms (including **non**-WMBEs/SLBEs) solicited or utilized. (0 to 26 points)

1. Solicitation of WMBEs/SLBEs, via written or electronic notification, should provide specific information on the services needed, where plans can be reviewed and assistance offered in obtaining these, if required. Solicitations should be typically sent a week or more before the bid date. Sample copies of the bidder’s solicitations should be provided. (0 to 15 points)
2. With any quotes received, a follow-up should be made whenever needed to confirm scope of work. For any WMBE/SLBE quotes rejected, an explanation should be provided detailing negotiation efforts. (The score assigned to this action step has a range of 0 to 12.5 points)
3. Prime should break down portions of work into economical feasible opportunities for subcontracting. The WMBE/SLBE directories are useful in identifying additional subcontracting opportunities and firms not listed in the “WMBE/SLBE Goal Setting Firms Lists.” (The score assigned to this action step has a range of 0 to 5 points)
4. Bidder should not preclude WMBEs/SLBEs from bidding on any part of work, even if the bidder can self-perform the work. (The score assigned to this action step has a range of 0 to 5 points). Bidder should attempt to identify additional subcontracting areas not denoted on the goal setting sheet, thus increasing the probability of achieving established goal. (0 to 5 points)

1. In its solicitations, the Bidder should offer assistance to WMBEs/SLBEs in obtaining bonding, insurance, etc., if required of subcontractors by the City or bidder. (0 to 2.5 points)
2. In its solicitation, the Bidder should offer assistance in obtaining equipment for a specific job to WMBEs/SLBEs, if needed. (0 to 2.5 points)
3. Bidder should use the services offered by such agencies as the Office of Equal Business Opportunity (EBO) of the City of Tampa, Hillsborough County and the NAACP Empowerment Center for the recruitment and placement of WMBEs/SLBEs. (The score assigned to this action step has a range of 0 to 2.5 points).