

**FORM B12**

**Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort**

The City of Columbus' Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual requires prime contractors/prime consultants to document a good faith effort to meet MBE/WBE subcontracting goals. Bidders who do not meet the City's MBE/WBE subcontracting goal, as outlined in the Manual, must earn a minimum of 80 points in the categories outlined and described below in order to demonstrate a Good Faith Effort. The form must be completed in its entirety in order to be considered. The Office of Diversity and Inclusion shall be responsible for approving/disapproving the Good Faith Effort Request.

<b>This document must be accurately completed, signed, and submitted with the bid or proposal at the time of bid opening.</b>
<b>Project Name</b>
<b>Project Number:</b>
<b>Date Submitted:</b>
<b>Total Contract Value:</b>
<b>Prime Contractor Name:</b>
<b>Address:</b>
<b>Federal Tax ID#:</b>
<b>Contact Person:</b>
<b>Telephone:</b>
<b>Email:</b>
<b>Prime Contractor/Consultant Authorized Signature and Date:</b> X

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**Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort**

The undersigned, as a representative of the entity, \_\_\_\_\_, submitting a bid/proposal for the \_\_\_\_\_ project, hereby acknowledges that the MBE/WBE goal established for this project is \_\_\_\_\_%.

**Full Waiver.** The prime contractor has concluded that it is unable to achieve the MBE/WBE participation goal set for this contract and hereby requests a waiver of the overall goal. The bidder verifies it has employed good faith efforts to meet the established MBE/WBE goal and has submitted documentation of those efforts along with its bid documentation.

**Partial Waiver.** The prime contractor has concluded that it is unable to achieve the MBE/WBE participation goal set for this contract and hereby requests a waiver of the overall goal. It further represents that the proposed level of MBE/WBE participation as set forth in the enclosed Schedule of MBE/WBE participation for this project is \_\_\_\_\_% and represents attainment of the MBE/WBE participation goal. The bidder has met the overall Minority/Women Business Enterprise participation goal with a total MBE/WBE Commitment Amount of \_\_\_\_\_ (dollars). The bidder agrees that the MBE/WBE firm(s) listed in Schedule of MBE/WBE Participation will be used to accomplish the MBE/WBE participation commitment for this contract, for at least the dollar amounts set forth herein. Affidavits of Intent confirming the proposed participation of the MBE/WBE s set forth on the Schedule of MBE/WBE Participation are attached. The bidder further agrees that the MBE/WBE firms listed in the Schedule of MBE/WBE Participation will be used to accomplish the MBE/WBE participation goal for this contract, for at least the dollar amounts set forth herein. Affidavits of Intent confirming the proposed participation of the MBE/WBE s set forth on the Schedule of MBE/WBE Participation are attached.

Bidder/Proposer shall check each item applicable to its overall reason for a waiver request. Additionally, supporting documentation shall be submitted with this request.

- Lack of sufficient qualified MBEs and/or WBEs capable of providing the goods or services required by the contract.
- The specifications and necessary requirements for performing the contract make it impossible or economically infeasible to divide the contract to enable the contractor to utilize MBEs and/or WBEs in accordance with the applicable participation.
- Price(s) quoted by potential MBEs and/or WBEs are above competitive levels and increase cost of doing business and would make acceptance of such MBE and/or WBE bid economically impracticable, taking into consideration the percentage of total contract price represented by such MBE and/or WBE bid.
- There are other relevant factors making it impossible or economically infeasible to utilize MBE and/or WBE firms.

**Prime Contractor/Consultant Authorized Signature and Date:**

X \_\_\_\_\_

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<b>GOOD FAITH EFFORT SUMMARY SHEET</b>							
<b>Criterion</b>	<b>Bidder Action</b>				<b>Points</b> <small>(internal use only)</small>		
<b>Advertising (5 Points)</b>	<p>Publish the advertisement on digital media platforms, including ethnic-focused media publications. Utilize the services of available minority/women community organizations, MBE/WBE contractor groups, MBE/WBE business assistance centers and other organizations, when feasible. Publication shall occur 21 days prior to submission unless the Office of Diversity and Inclusion waives this requirement due to time constraints.</p> <p>Advertisement must be specific to the Office of Diversity and Inclusion contract or procurement and not be generic. It must not be a plan holder advertisement provided by the publication.</p> <p>Advertisement must be worded to ensure it does not exclude or limit the number of potential respondents.</p>				<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Total</b>
<b>Subcontract Information Published</b>							
<b>Publications</b>	<b>Publication Name</b>	<b>Publication Date</b>	<b>Project Name</b>	<b>Items of Work Solicited</b>	<b>Response Due Date</b>		
<b>General Circulation</b>							
<b>Trade Association</b>							
<b>Minority-focused</b>							
<b>Woman-focused</b>							
<p>It is hereby certified that the above firms were contacted and offered an opportunity to respond on the above project. We further certify that the above statements are a true account of our firm's efforts. Copies of all published material will be made available upon request.</p>							

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<b>GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST</b>							
<b>Criterion</b>	<b>Bidder Action</b>				<b>Points</b> (internal use only)		
<b>Outreach to Identify MBE/WBEs (15 Points)</b>	List the names of the MBE/WBEs, their contact information, and date of contact. Copies of correspondence received from subcontractors responding to the outreach or seeking subcontract work must be provided.				<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Total</b>
<b>Subcontractor Contacted</b>	<b>Call Date</b>	<b>Email Date</b>	<b>Mail Date</b>	<b>Type of Correspondence</b>	<b>Documentation of Receipt</b>		
<p>It is hereby certified that the above firms were contacted and offered an opportunity to respond to the above project. We further certify that the above statements are a true account of all firms' responses to the solicitation. Copies of all bids or proposals will be made available upon request.</p>							

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<b>Criterion</b>	<b>Bidder Action</b>				<b>Points</b> <small>(internal use only)</small>		
<b>Timely Written Notification (20 Points)</b>	Solicit written subcontract bids, material quotes, and proposals from certified MBE/WBEs at least ten (10) business days prior to bid opening. The written solicitations must invite MBE/WBEs that can perform a commercially useful function to participate in the contract as a subcontractor, or supplier. The prime contractor’s written notice must include the following information: <ul style="list-style-type: none"> <li>i. Prime contractor’s name, address, telephone number and email address.</li> <li>ii. Project location and description.</li> <li>iii. Solicited items of work to be subcontracted or materials to be purchased, including a specific description of the work involved.</li> <li>iv. Place where bid, plans, and specifications can be reviewed.</li> </ul> Date and time when MBE/WBE quotes must be received by the contractor.				<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Total</b>
<b>Company Name and Contact Person</b>	<b>Company Address/Phone/E mail</b>	<b>Type of Work/Service(s) Solicited</b>	<b>Method of Contact (email, phone, letter)</b>	<b>Response to Solicitation (bid/proposal, no response, not interested)</b>	<b>Bid/Proposal Amount</b>		
It is hereby certified that the above firms were contacted and offered an opportunity to respond on the above project. We further certify that the above statements are a true account of all firms’ responses to our solicitation. Copies of all bids and proposals will be made available upon request.							

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<b>Criterion</b>	<b>Bidder Action</b>				<b>Points</b> (internal use only)		
<b>Contact Follow-up (15 Points)</b>	Demonstrate follow-up efforts, including telephone calls, facsimiles, or emails during normal business hours. The contact must include direct written or oral communication with an executive representative of the MBE/WBE within a reasonable amount of time to allow the prospective subcontractor an opportunity to submit a competitive bid.				<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Total</b>
<b>Company Name and Contact Person</b>	<b>Company Address/Phone/E mail</b>	<b>Type of Work/Service Solicited</b>	<b>Contact Date</b>	<b>Contact Log Attached?</b>	<b>Agreement Reached? If Not, Why?</b>		
It is hereby certified that the above firms were contacted and offered an opportunity to respond to the above project. We further certify that the above statements are a true account of all firms' responses to our solicitation. Copies of all bids and proposals will be made available upon request.							

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<b>Criterion</b>	<b>Bidder Action</b>				<b>Points</b> <small>(internal use only)</small>		
<b>Negotiate in Good Faith (15 Points)</b>	Negotiate fairly with interested MBE/WBEs, even if selection of the MBE/WBE would increase costs. A prime contractor shall not unjustifiably reject bids prepared by eligible MBE/WBEs. However, the prime contractor may choose a low bid if two or more bids for the same item of work are received.				<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Total</b>
<b>Company Name and Contact Person</b>	<b>Company Address/Phone/E mail</b>	<b>Item of Work/Service Solicited</b>	<b>Reason for Rejecting Bid/Proposal</b>	<b>Date of Rejection</b>	<b>Bid/Quote Received Attached?</b>		
<p>It is hereby certified that the above firms were contacted and offered an opportunity to respond to the above project. We further certify that the above statements are a true account of all firms' responses to our solicitation. Copies of all bids and proposals will be made available upon request.</p>							

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<b>Criterion</b>	<b>Bidder Action</b>	<b>Points</b> (internal use only)		
<b>Items of Work Identification (20 Points)</b>	Attempt to break down items of work into smaller unit that MBE/WBEs may find economically feasible to perform. The smaller units of work must constitute a commercially useful function that could reasonably be expected to produce a level of participation sufficient to meet the goals. Prime contractors must not deny a subcontract to a qualified and competitive MBE/WBE solely because the MBE/WBE cannot perform the entire package unless unbundling would jeopardize scheduling or increase costs by more than five (5) percent.	<b>Yes</b>	<b>No</b>	<b>Total</b>
<b>Original Item of Work</b>	<b>Smaller Units of Work</b>			



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<b>Criterion</b>	<b>Bidder Action</b>				<b>Points</b> (internal use only)		
<b>Assistance in Financing, Bonding, Insurance, or Mentoring (10 Points)</b>	Document efforts to provide technical assistance to MBE/WBEs in obtaining bonds, lines of credit, or insurance required by the City. The prime contractor must not deny a subcontract solely because the certified MBE/WBE cannot obtain a bond. Assistance should be provided to facilitate securing a bond or the subcontract bond requirement should be waived by the City and the subcontractor carried under the prime contractor's bond.				<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Total</b>
<b>Company Name</b>	<b>Company Contact Person</b>	<b>Company Address</b>	<b>Company Phone</b>	<b>Company Email</b>	<b>Assistance Provided</b>		
<p>It is hereby certified that the above firms were contacted and offered an opportunity to respond to the above project. We further certify that the above statements are a true account of all firms' responses to our solicitation. Copies of all bids and proposals will be made available upon request.</p>							