

Good Faith Effort Program Frequently Asked Questions (FAQs)

- Q1: What type and size of contracts does the Good Faith Effort apply to?
- Q2: If I am bidding as a prime contractor, how do I know which M/W/ESB firms to contact?
- Q3: How many firms must I contact?
- Q4: If I am going to do a specified division of work myself (as the prime), do I need to contact the state certified firms anyway?
- Q5: If I want to subcontract out divisions of work not specified by the City, how can I get a list of M/W/ESB firms to contact?
- Q6: How does a firm get certified as a Minority-owned, Women-owned or Emerging Small Business (M/W/ESB)?
- Q7: What Good Faith Effort documentation is submitted and when are documents due?
- Q8: What if I don't submit these documents by 4:00 pm?
- Q9: Is other documentation required before the bid can be awarded?
- Q10: When the bids are opened, my firm is not the low bid. Do I need to submit the Good Faith Effort documentation anyway?
- Q11: After the bid is awarded, is there other documentation related to the Good Faith Effort Program required?
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- Q1: What type and size of contracts does the Good Faith Effort apply to?
- A1: Generally, the Good Faith Effort Program requirements apply to all City construction contracts over \$200,000. Some smaller contracts (between \$100,000 and \$200,000) may also include Good Faith Effort Program requirements if there are substantial opportunities for subcontracting.
- Q2: If I am bidding as a prime contractor, how do I know which M/W/ESB firms to contact?
- A2: The City specifications will specify certain divisions or types of work which will provide the most sub-contracting opportunities on the contract. The City will supply a list of state certified M/W/ESB firms for those specified divisions of work either with the bid specifications or by addendum. In addition, any M/W/ESB firm who attends the pre-bid meeting (if one was held) which specializes in a specified division of work must be contacted.
- Q3: How many firms must I contact?
- A3: In addition to any M/W/ESB firm who attends the pre-bid meeting (if one was held) which specializes in a specified division of work, the prime contractor must contact a minimum of five (5) M/W/ESB firms from the list provided for each work area. If there are less than five (5) firms listed for a particular division of work, all of the contractors on the list must be contacted. List those firms you contacted on the "**M/W/ESB Contact Log (Form 2)**".

- Q4: If I am going to do a specified division of work myself (as the prime), do I need to contact the state certified firms anyway?
- A4: No. If, as the selected prime contractor, you will retain the specified division of work for your own work crew, there is no subcontracting opportunity, and you do not need to contact the state certified M/W/ESB firms. You will be asked to list any divisions of work that you intend to self-perform on the City of Portland "**Good Faith Effort Form 1**".
- Q5: If I want to subcontract out divisions of work not specified by the City, how can I get a list of M/W/ESB firms to contact?
- A5: Easy! The State Certification list is available on the World Wide Web at:
<http://www4.cbs.state.or.us/ex/dir/omwesb/>
At that site, it allows you to sort for contractors by the type of work. If you are passing this information on to someone who does not have access to the Internet, have them call the Bureau of Purchases contact person listed on the cover page of the bid documents during business hours to obtain a list of local state certified firms.
- Q6: How does a firm get certified as a Minority-owned, Women-owned or Emerging Small Business (M/W/ESB)?
- A6: State Certification is completed through the state Oregon Department of Consumer & Business Services, Office of Minority, Women, and Emerging Small Business (503/947-7976). Forms can be obtained via the World Wide Web at:
<http://www.oregon4biz.com/Grow-Your-Business/Business-services/Minority-Owned-Business-Certification/>
- Q7: What Good Faith Effort documentation is submitted and when are documents due?
- A7: Two documents are due by 4:00 p.m. the day the bid is due:
a. The City of Portland "**Good Faith Effort Form 1**"; and
b. The State of Oregon First-Tier Subcontractor Disclosure Form
- Q8: What if I don't submit these documents by 4:00 pm?
- A8: Your bid will be rejected as non-responsive.
- Q9: Is other documentation required before the bid can be awarded?
- A9: The apparent low bidder must submit the following documents shown below to the Bureau of Purchases by 4:00 PM the day following bid opening:
1. **Form 2 - M/W/ESB Contact Log** - a record of contacts with potential M/W/ESB subcontractors
 2. A copy of the letter or fax sent to M/W/ESB firms

Q10: When the bids are opened, my firm is not the low bid. Do I need to submit the Good Faith Effort documentation anyway?

A10: No. If for any reason the bid from the apparent low bidder is recommended for rejection, the next low bidder will be contacted and they will have until 4:00 p.m. the day following the day that the request is made to submit their documentation.

Q11: After the bid is awarded, is there other documentation related to the Good Faith Effort Program required?

A11: Yes, the prime contractor must submit "**Monthly Subcontractor Payment Utilization Reports " (Form 3)**". These reports include payment information on both first and second tier subcontractor contract amounts and payments.