ADOT Procurement

ARIZONA DEPARTMENT OF TRANSPORTATION

CERTIFICATION OF GOOD FAITH EFFORTS

Clear Form

Refer to Instructions on Page 5

Complete all sections of the form (pages 1 – 4) and include all back-up documentation. Incomplete forms will be returned unprocessed. For the purpose of this form, project specific contracts shall be evaluated on a contract basis and on-call contracts will be evaluated on a task order basis. If the information does not relate to the task order in review, this GFE Certification will be denied. ADOT BECO reserves the right to request further documentation from the Contractor/Sub-Contractor(s) to support and validate actions undertaken to secure DBE participation to meet the DBE goal for this contract/task order.

Attestation

I, (Name)_____, do hereby acknowledge that I am the (Title) _____

Of (Name of Firm)_____and the Contractor selected for the ADOT project listed below:

Identify Applicable Procurement Contract	*Locating the project in the DBE system*		*Used in Calculation:* ***Task $ for DBE / Contract Total $***		Enter the Project's DBE Goal for Calculating Commitment	
Procurement Contract Number	**ADOT DOORS Contract Number**	**Project Title**	**Contract total $ (Original $ + Mods or Change Orders)**	**Task $ for DBE (Original $ + Mods or Change Orders)**	**DBE Percentage**	
					ADOT Goal % (I.E. 5.04)	**Proposed Commitment %** (Task $ Divided by Contract $)

Provide a brief summary about the nature of the work to be performed and why you believe your firm is unable to meet the DBE participation goals on this project. Attach additional pages if necessary.

I hereby certify I demonstrated comprehensive good faith efforts to solicit and utilize DBE firms to meet the DBE participation requirements of this contract/task order in accordance with Section 14.0 of the DBE Contract Specifications by my responses to the following:

GFE Activities

1. Contacting BECO for Assistance:

Date Contacted BECO:_____ BECO Staff Name:_____

Contractor Staff Name: _____ Phone Number: _____

Enter a brief summary of discussion and resolution:

2. Complete the following table to identify DBE Firms contacted, tasks, activities/outreach, and assistance offered.

(Please use additional copies for more than 3 DBE firms contacted)

DBE Firm Information	Dates Contacted	Describe Activity / Outreach / How the DBE was provided with access to project information.	Which Scoped Tasks/Items Referenced in Activity/Outreach	Outcome(s)*	Provide Justification / Sound Reason / Explanation for Outcome	Assistance Offered
Firm Name:				☐ Unsuccessful Negotiation ☐ Unqualified for Work ☐ Not Available within Project Schedule ☐ Rejected Firm for ☐ Other:		☐ Bonding ☐ Credit ☐ Insurance ☐ Equipment ☐ Supplies ☐ Related Services
Contact Name:						
Location Address:						
City/State/ZIP:						
Phone Number:						
Email Address:						
Firm Name:				☐ Unsuccessful Negotiation ☐ Unqualified for Work ☐ Not Available within Project Schedule ☐ Rejected Firm for ☐ Other:		☐ Bonding ☐ Credit ☐ Insurance ☐ Equipment ☐ Supplies ☐ Related Services
Contact Name:						
Location Address:						
City/State/ZIP:						
Phone Number:						
Email Address:						
Firm Name:				☐ Unsuccessful Negotiation ☐ Unqualified for Work ☐ Not Available within Project Schedule ☐ Rejected Firm for ☐ Other:		☐ Bonding ☐ Credit ☐ Insurance ☐ Equipment ☐ Supplies ☐ Related Services
Contact Name:						
Location Address:						
City/State/ZIP:						
Phone Number:						
Email Address:						

*If negotiating in good faith with interested DBEs results in selecting a non-DBE over a DBE, attach copies of both firm's quotes.

3. Explain how scoped tasks / items were broken down into economically feasible units to facilitate DBE participation:

4. Minority/Women Community Organizations: Identify minority/women community organizations used for providing assistance in the recruitment and placement of DBEs.

Organization Name	Contact Person	Assistance Requested

5. Other comments or information you want ADOT BECO to consider as part of your good faith effort.

Affidavit

The undersigned, (Name)_____, an authorized signatory of (Firm Name) _____ attests and declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that the information provided on this certificate is true and correct to the best of my knowledge and belief.

Signature_____ Date _____

ADOT BECO INTERNAL USE ONLY
Did BECO staff submit a DBE Supportive Service Referral Form? *Yes* ☐ *NO* ☐ *If yes, Date of Submission:* *Date Received GFE:* _____ *Received by:* _____ *Date of Action:* _____ *Signature:* _____ *Check one:* ☐ *Approved* ☐ *Denied*
Comments:

ARIZONA DEPARTMENT OF TRANSPORTATION

CERTIFICATION OF GOOD FAITH EFFORTS

Good Faith Efforts Tips

The intent of this form is to document the Good Faith Efforts undertaken by the Contractor to solicit and utilizing DBE firms to meet the DBE participation goals for the contract/project. The form is not intended to be an exclusive or exhaustive list of good faith efforts. Other factors or types of efforts may be relevant on a case-by-case basis as determined by ADOT BECO. The completed form will assist ADOT in determining if the Contractor performed its due diligence, took all necessary and reasonable steps to secure DBE participation for the contract/project, resulting in a comprehensive good faith effort. ADOT Business Engagement & Compliance Office (BECO) will determine if the Contractor made satisfactory good faith efforts to secure sufficient DBE participation to meet the DBE goal. The burden of proof rests with the Contractor. Failure to provide good faith efforts to ADOT BECO's satisfaction will result in the rejection of the proposal/modification. However, ADOT BECO will reconsider Contractor's GFE resubmittal if Contractor has adequately and sufficiently documented its good faith efforts in obtaining DBE participation.

For more information on DBE Regulations and requirements for good faith efforts click on following link below:

- *Title 49, Subtitle A, Part 26 - Guidance Concerning Good Faith Efforts*, or
- Go to http://www.ecfr.gov/

1. Contacting ADOT BECO (602 -712-7761) for assistance in identifying certified DBEs that can perform work on a contract or task order is considered a strong factor in making good faith efforts.

2. Review Scope of Work (SOW) for subcontracting opportunities.

3. Make reasonable efforts to designate economically feasible and meaningful units of work for a DBE(s) that meets or exceeds the DBE goal.

4. Keep in mind that selected DBEs must perform commercially useful function (CUF) as required by 49 CFR 26.55, accessible at www.ecfr.gov.

5. Some projects may be too small or do not provide meaningful units of work for subcontracting opportunities. Any reason for this must be thoroughly explained.

6. When providing good faith documentation, it is not sufficient to say that project is too small to include DBEs. Contractors must explain the project SOW and why no subcontracting opportunities are possible.

7. Contractors must keep in mind that DBEs must be utilized when developing their SOWs and cost proposal. Arranging and planning work items to circumvent the utilization of subcontractor and DBEs violates the federal regulations.

8. Contractors are not limited to DBEs currently included in their contract and must detail efforts to meet the project goal. If approved, by BECO, new subcontractors will require written approval by ADOT Procurement prior to billable work being performed.

9. Assistance provided to DBEs should include efforts to assist the DBE firms in obtaining bonding, lines of credit, insurance, equipment, materials, supplies or other project-related assistance.

10. When providing good faith documentation, Contractors must complete this form and attach:

    a. Any evidence of negotiations with the DBE firms

    b. Evidence of efforts to reach out to DBE firms

    c. Copies of quotes / proposals when selecting a non-DBE firm over a DBE firm