

City of Austin
Small and Minority Business Resources

MBE/WBE Procurement Program

Good Faith Efforts Overview

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SMALL AND MINORITY
BUSINESS RESOURCES



Objectives



MBE/WBE Procurement Program Compliance
Background



GFE Minimum Requirements & Additional Considerations



GFE Review Process



Q & A

Good Faith Efforts – What is it?

City Code 2-9(A-B)-21(E)

- Firms are compliant by:
 - Either meeting the goals as established in the solicitation
 - OR;**
 - Demonstrating Good Faith Efforts for any ethic category where goals are not met (GFE).

Current Minimum Requirements to Achieve Good Faith Efforts (GFE) (2-9A – B)

- Notifying certified firms via fax, e-mail, mail or phone at least 10 business days prior to submission of bid/proposal
 - Two (2) reasonable, available, and verifiable means
- Follow-up with interested MBE/WBE firms
- Negotiate in good faith with interested MBEs and WBEs
- Select portions of work that will increase MBE/WBE opportunities
- Publish notice in a local publication (i.e., newspaper, trade association publication, or social/electronic media)
- Seek services of trade associations and other minority and women community organizations
- Contact SMBR for assistance

Additional GFE Considerations

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- Whether Bidder/Proposer made efforts to assist interested MBEs/WBEs in obtaining bonding, lines of credit or insurance required by the City or consultant.
 - Whether the Bidder/Proposer made efforts to assist interested MBEs/WBES in obtaining necessary equipment, supplies, materials or related assistance or services.
 - SMBR may also consider the performance of other Bidders/Proposers successfully meeting the goals.

Good Faith Effort Review

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- All GFE must be submitted with bid/offer at time of submission
 - Counselors review all documentation and complete a Good Faith Effort Analysis
 - Details the different requirements and efforts made by the Bidder/Offeror
 - Logs, emails, fax lists, advertisements/publications, contact with SMBR, etc.
 - Counselors also send Good Faith Effort Surveys to certified firms in categories where the goal(s) were not met.
 - Identifying if certified firms were contacted, if bid submitted, scope(s) of work

Compliance Determination Utilizing GFE

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- Counselor submits compliance recommendation along with all GFE documentation and GFE Analysis for SMBR leadership review and sign-off
 - Opportunity for SMBR leadership to ask any questions prior to determination of compliance/non-compliance.
 - Approval of Compliance Plan
 - Deemed non-compliant (did not meet the goals, nor demonstrate GFE in lieu of meeting the goals)

Awards Comparison – Goals Met vs. Good Faith Efforts

| | Percentage Awards with Goals Met | Percentage Awards with GFE |
|-----------------------------|----------------------------------|----------------------------|
| FY'23 | 90% | 10% |
| FY'22 | 94% | 6% |
| FY'21 | 83% | 17% |
| 3-Year Award Average | 89% | 11% |



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Discussion/ Questions



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