



**BEST PRACTICES FOR MINORITY PARTICIPATION
& GOOD FAITH EFFORT DOCUMENTATION**



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Mission & Purpose

Orange County Government is interested in increasing and promoting the participating in and award of contracts to:

- Minority and women-owned businesses in accordance with the M/WBE Ordinance.



By certifying and utilizing M/WBE businesses in the procurement process to achieve goals:

25%	Construction
27%	Professional Services
24%	Services
10%	Goods

Mission & Purpose

- Registered Service Disabled Veterans (SDV) in accordance with the SDV Ordinance



By Registering SDV for utilization in the procurement process,

Bonus points given to proposers on Request for Proposals (RFP).

Bid preference given when bidding as a Prime on Invitation for Bids.

Recent M/WBE Program Changes

Effective August 11, 2020, the Orange County Board of County Commissioners

approved an M/WBE ordinance amendment to delete the “sliding scale” provision in Construction services category. As a result, all contractors would be required to either:

- (1) meet the County’s M/WBE Participation Goal; or
- (2) provide the County with evidence that it made a Good Faith Effort (GFE) to meet such goal, in order to be awarded a construction contact.

Failure to meet the goal or provide sufficient GFE would result in the bid being found non-responsive.

If the established goals are not achieved, to maximize consideration for M/WBE participation, Bidders must provide with the bid sufficient documentation to substantiate that ALL FIVE of the mandatory efforts were undertaken.

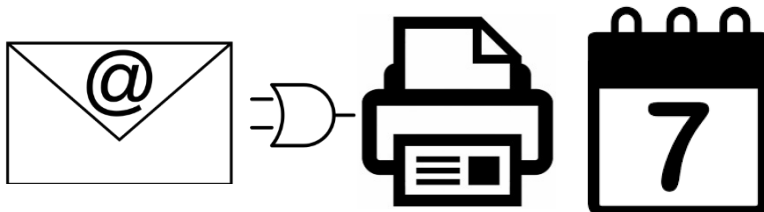
Good Faith Effort (GFE) Requirements

Criteria i.

If a bidder desires to meet the good faith effort documentation requirements

he/she must provide written notice to certified M/WBEs **as it relates to the scopes of services in the bid documents** that the Bidder intends to subcontract.

The notice shall be by e-mail or fax, no fewer than seven (7) calendar days prior to bid or proposal opening. All e-mails and faxes shall include the legal name of the M/WBE firm.



Good Faith Effort (GFE) Requirements

Continued Criteria i.

The notice **shall** advise the M/WBE's:

- a. that their interest in the contract is being solicited;
- b. of the specific work the Bidder intends to subcontract
- c. how to obtain information about and review the contract plans and specifications;
- d. about information on bonding, insurance and other pertinent requirements;

All requirements as it relates to the bonding, insurance and pre-qualifications must be given to the M/WBE's at the time the notice is provided. This information must be received and decisions to utilize the M/WBE must be known and denoted on Attachment C-2 prior to the bid submittal.

Good Faith Effort (GFE) Requirements

Continued Criteria i.

- e. the deadline for bid or proposal submissions to the Bidder and the bid due date to the County;
- f. 24 hours notice of any addenda.



Good Faith Effort (GFE) Requirements

Criteria ii.

If M/WBE goals were not achieved, the bidder shall provide an explanation as to why the scopes of service listed in the bid documents were not subcontracted on Attachment C-2. This is to be done when there is M/WBE availability only.



Good Faith Effort (GFE) Requirements

Criteria iii.

Bidders shall follow up initial submittals of interest by contacting M/WBEs and documenting using a **contact log**, which shall include the firm's name, address, contact information (e-mail, telephone and/or fax numbers), scope of work requested, the date, name of person making the effort, denote if M/WBEs will bid, time quote received and notes denoting if plans and specifications were sent.

Each bidder shall use the standardized contact log, Attachment C- 4.

Good Faith Effort (GFE) Requirements

Criteria iv.

In instances where a non-minority/non-woman contractor is listed for work for which M/WBE availability exists, the Bidder shall submit **ALL** quotations received from M/WBEs **AND** the listed non-M/WBE **within twenty-four (24) hours, if it is determined that the bidder is one of the three (3) apparent low Bidders.**



Good Faith Effort (GFE) Requirements

Continued Criteria iv.

The Bidder shall provide an **explanation** as to **why** the **M/WBE's quotations were not accepted**. Receipt of a lower quotation from a non-M/WBE prior to bid opening will not in itself excuse a Bidder's failure to meet M/WBE participation goals.

However, a Bidder's good faith effort obligation does not require a Bidder to accept a quotation from a M/WBE which is an unreasonable price.

Good Faith Effort (GFE) Requirements

Continued Criteria iv.

For the purpose of this subsection, "unreasonable price" means a price above (or below) competitive levels which cannot be attributed to the M/WBE's attempt to cover costs inflated by the present effect of discrimination.



Good Faith Effort (GFE) Requirements

Criteria v.

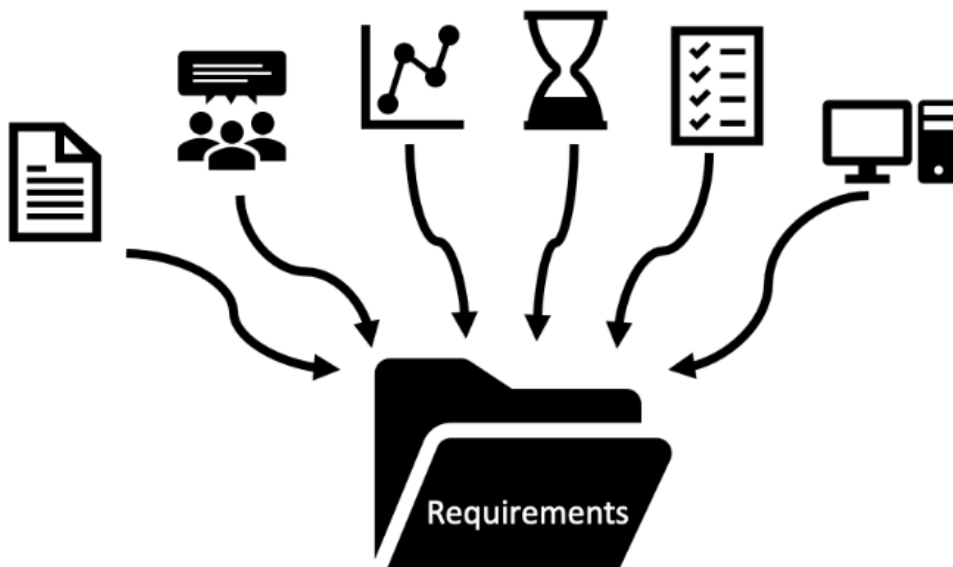
The Bidder shall contact the Business Development Division staff as a resource to obtain M/WBE participation.



Note: Each solicitation is subjected to be reviewed on a case by case basis depending upon what documentation is submitted by the Bidder.

Good Faith Effort (GFE) Requirements Credits

Good Faith Effort credit means that if a Bidder fails to meet requirements (i) through (iv) of the above-mentioned GFE requirements, then the contractor will be permitted to ***substitute one (1) of the following with documentation showing that:***



Good Faith Effort (GFE) Requirements Credits

1)The Disney Entrepreneur Center (DEC) was used to host a workshop that informed M/WBE firms how to better prepare for subcontracting opportunities;

2)The contractor has participated in Orange County Business Development Division's sponsored "How to do Business" workshop;

3)The contractor has sponsored a match-maker event with certified M/WBE firms.

All contractors will receive a certificate to document the service was successfully completed.

Suggestions for Improvements

1. Strive to achieve the M/WBE goals listed in the solicitation.
 - Review the IFB to determine the overall goal and all of the project scope of services.
 - Search the M/WBE directory to obtain the listing of M/WBE firms that provide these services.
 - Contact the M/WBE firms for interest and obtain quotes.



Suggestions for Improvements

2. Submit all information for GFE criteria in its entirety.



Suggestions for Improvements

3. Use only Orange County certified M/WBE firms in the calculation towards the M/WBE goal.
 - All firms are given a certificate denoting their certified scopes of services.
 - Each certificate has a expiration period.
 - All certified firms are listed on the County's website.



Suggestions for Improvements

4. Submit all quotes (non-M/WBE's & MWBE's) for scope of services subcontracted out on Attachment C-2.



Suggestions for Improvements

5. Complete Attachment C-2 in its entirety, if maximum M/WBE participation is desired

- Bidders must list **all** proposed subcontractors and suppliers to be used.
- Indicate **the estimated percentage of work** to be self-perform

If **maximum M/WBE participation** is desired, bidders must list **all proposed Subcontractors and suppliers** to be used. Provide company names; contacts, addresses, phone numbers; **work to be performed with the Contractor's own workforce**, including estimated dollar amount allocated **for the entire contract, including all Option Years (if applicable)** for that work (work that is consistently and historically performed in-house); total amount to be paid to this sub/supplier (do not discount supply dollars); and M/WBE designation or if non-M/WBE (Majority). See Instructions to Bidders, Part C, for complete M/WBE requirements. Provide **all** information requested. Use additional sheets if necessary. **Failure to provide all of the information requested may negatively impact the M/WBE evaluation.**

1. What is the estimated percent of work that the Prime Contractor will self-perform? 69 %
List these areas below with approximate dollar amounts to be allocated for the work.
2. Is all work (whether to be subbed or self-performed) listed below? Yes X No ___
Are all material suppliers listed? Yes X No ___
If no, please explain. _____
3. Is your firm certified through Orange County as an M/WBE? Yes ___ No X
(See Part C for specific requirements for certified M/WBE firms)
4. Is your firm registered through Orange County as a Registered Service Disabled-Veteran (SDV)? Yes ___ No X

PRIME CONTRACTOR/SUBCONTRACTOR/SUPPLIER INFORMATION

	COMPANY NAME, CONTACT ADDRESS PHONE NUMBER	INDICATE THE WORK TO BE PERFORMED (TRADE) OR COMMODITY TO BE SUPPLIED IN THE BOX BY THE SUBCONTRACTOR AND CIRCLE THE SCOPE CLASSIFICATION	DOLLAR AMOUNT	O.C. CERTIFIED M/WBE OR NON-M/WBE; OR REGISTERED SDV
1.	ABC Prime; 123 Main Street; Orlando 32222 (407) 222-3333	Sub/ Supplier/ <u>In-house</u> (circle one) Demolition, Erosion Control, MOT, Pavement, Landscape, Fencing and Erosion & Control	\$1,500,000	Non-M/WBE
2.	XYZ Electrical; 123 Main Street; Orlando 32767; (321) 423-5555	<u>Sub</u> / Supplier/ In-house (circle one) Electrical	\$431,000	M/WBE
3.	Sanitary Services; 999 Waste Way; Orlando 32767; (321) 111-6666	<u>Sub</u> / Supplier/ In-house (circle one) installation of Sewer Services	\$27,000	Non- M/WBE

JBC Construction Inc.
Signature of Bidder

President
Title

Suggestions for Improvements

5. Continued. Complete Attachment C-2 in its entirety, by:

- Listing **All** proposed subcontractors and supplier
- Providing their **company name, contact address and phone number**
- Indicating **the work** to be performed or commodity to be supplied
- **Circling the scope of classification** (sub, Supplier or In-house)
- Denoting the **Dollar Amount**
- **Indicating** if the firm is an **O.C. Certified M/WBE or Non-M/WBE**

Suggestions for Improvements

Example of a completed Attachment C-2.

If **maximum M/WBE participation** is desired, bidders must list **all proposed Subcontractors and suppliers** to be used. Provide company names; contacts, addresses, phone numbers; **work to be performed with the Contractor's own workforce**, including estimated dollar amount allocated **for the entire contract, including all Option Years (if applicable)** for that work (work that is consistently and historically performed in-house); total amount to be paid to this sub/supplier (do not discount supply dollars); and M/WBE designation or if non-M/WBE (Majority). See Instructions to Bidders, Part C, for complete M/WBE requirements. Provide **all** information requested. Use additional sheets if necessary. **Failure to provide all of the information requested may negatively impact the M/WBE evaluation.**

1. What is the estimated percent of work that the Prime Contractor will self-perform? 48 %
List these areas below with approximate dollar amounts to be allocated for the work.
2. Is all work (whether to be subbed or self-performed) listed below? Yes No
Are all material suppliers listed? Yes No
If no, please explain. _____
3. Is your firm certified through Orange County as an M/WBE? Yes No
(See Part C for specific requirements for certified M/WBE firms)
4. Is your firm registered through Orange County as a Registered Service Disabled-Veteran (SDV)? Yes No

PRIME CONTRACTOR/SUBCONTRACTOR/SUPPLIER INFORMATION

	COMPANY NAME, CONTACT ADDRESS PHONE NUMBER	INDICATE THE WORK TO BE PERFORMED (TRADE) OR COMMODITY TO BE SUPPLIED IN THE BOX BY THE SUBCONTRACTOR AND CIRCLE THE SCOPE CLASSIFICATION	DOLLAR AMOUNT	O.C. CERTIFIED M/WBE OR NON-M/WBE; OR REGISTERED SDV
1.	PRC Construction Inc; 131 Minority Street; Oviedo 32765 (407) 365-3333	Sub/ Supplier/ <u>In-house</u> (circle one) <i>Manage, schedule, underground, grading, lift stations, temp rds, concrete, jack hore, water lines, cleanup, fencing</i>	\$790,446	M/WBE
2.	Central FL Electrical; 666 Central Blvd; Orlando 32803; (407) 422-3243	<u>Sub</u> Supplier/ In-house (circle one) Electrical	\$609,550	M/WBE
3.		Sub/ Supplier/ In-house (circle one)		

PRC Construction Inc.
Signature of Bidder

President
Title

ATTACHMENT C-2

Suggestions for Improvements

Example of a completed Attachment C-2

If **maximum M/WBE participation** is desired, bidders must list **all proposed Subcontractors and suppliers** to be used. Provide company names; contacts, addresses, phone numbers; **work to be performed with the Contractor's own workforce**, including estimated dollar amount allocated **for the entire contract, including all Option Years (if applicable)** for that work (work that is consistently and historically performed in-house); total amount to be paid to this sub/supplier (do not discount supply dollars); and M/WBE designation or if non-M/WBE (Majority). See Instructions to Bidders, Part C, for complete M/WBE requirements. Provide **all** information requested. Use additional sheets if necessary. **Failure to provide all of the information requested may negatively impact the M/WBE evaluation.**

1. What is the estimated percent of work that the Prime Contractor will self-perform? 71 %
List these areas below with approximate dollar amounts to be allocated for the work.
2. Is all work (whether to be subbed or self-performed) listed below? Yes No
Are all material suppliers listed? Yes No
If no, please explain. _____
3. Is your firm certified through Orange County as an M/WBE? Yes No
(See Part C for specific requirements for certified M/WBE firms)
4. Is your firm registered through Orange County as a Registered Service Disabled-Veteran (SDV)? Yes No

PRIME CONTRACTOR/SUBCONTRACTOR/SUPPLIER INFORMATION

	COMPANY NAME, CONTACT ADDRESS PHONE NUMBER	INDICATE THE WORK TO BE PERFORMED (TRADE) OR COMMODITY TO BE SUPPLIED IN THE BOX BY THE SUB- CONTRACTOR AND CIRCLE THE SCOPE CLASSIFICATION	DOLLAR AMOUNT	O.C. CERTIFIED M/WBE OR NON-M/WBE; OR REGISTERED SDV
1.	Premium Construction; 1212 Premium Way; Orlando 32711 (321) 523-5455	Sub/ Supplier <input checked="" type="checkbox"/> In-house (circle one) <i>Under drain, Base, MOT, Cleaning/grubbing Excavation, Restoration, Supervision</i>	\$5,498,000	Non-M/WBE
2.	Run Away Transport; 4444 Transport Way; Orlando 32718; (407) 322-7777	<input checked="" type="checkbox"/> Sub/ Supplier/ <input type="checkbox"/> In-house (circle one) Trucking, Asphalt & Concrete	\$1,650,000	M/WBE
3.	Piping Supplier; 1000 Piping Way; Orlando 32767; (321) 777-9999	Sub/ <input checked="" type="checkbox"/> Supplier/ <input type="checkbox"/> In-house (circle one) Underdrain Fittings/ Supplier	\$633,137.31	M/WBE

TN Construction Inc.
Signature of Bidder

President
Title

ATTACHMENT C-2

Suggestions for Improvements

6. Complete Attachment C-4 in its entirety,



Suggestions for Improvements

Example of a completed Attachment C-4:

GOOD FAITH EFFORT M/WBE CONTACT LOG (See Part C, SECTION 3, Paragraph E-iii)
 (The Completed form is Required only if Good Faith Effort Documentation is being provided as part of this Bid)

IFB No/ Project Name IFB# Y21-725

Name of Person Contacting Firms: Maryann Newton

Company's Name	Email or Fax	Phone Number	Date Contacted M/WBE	Contact Method (Phone, Email or Fax)	Firm to Bid Yes or No	Date and Time Quote Received	Total amount of the M/WBE Quote	Denote if used Total amount of the M/WBE Quote Yes or No
<i>XYZ Construction</i>	<i>xyz@gmail.com</i>	<i>(321) 423-5555</i>	<i>3/24/2021</i>	<i>Email</i>	<i>Yes</i>	<i>4/1/2021 9 AM</i>	<i>\$431,000</i>	<i>Yes</i>
<i>Electrical ABC</i>	<i>Eabc@att.net</i>	<i>(321) 333-4444</i>	<i>3/24/2021</i>	<i>Email</i>	<i>Yes</i>	<i>4/2/2021 4 PM</i>	<i>\$500,000</i>	<i>No</i>
<i>Electrical DEF</i>	<i>Edef@gmail.com</i>	<i>(407) 666-7777</i>	<i>3/24/2021</i>	<i>Email</i>	<i>Yes</i>	<i>4/2/2021</i>	<i>\$445,000</i>	<i>No</i>
<i>Electrical GHI</i>	<i>Eghi@yahoo.com</i>	<i>(321) 888-9999</i>	<i>3/24/2021</i>	<i>Email</i>	<i>No</i>	<i>None rcvd. didn't rcvd none rcvd</i>		

NOT COMPLETING ALL COLUMNS AND SIGNING THIS LOG WILL NEGATIVELY IMPACT YOUR GOOD FAITH EFFORT EVALUATION.
 Under penalty of perjury, I declare that I have read the foregoing and the facts stated in it are true. **False statements may result in criminal prosecution for a felony of the third degree as provided for in Section 92.525 (3), Florida Statutes.** I,

Max Rhimes

Max Rhimes

/President

/ 4/20/21

(Signature off Authorized Agent),

(Printed Name, Title, and Date)

ATTACHMENT C-4

Suggestions for Improvements

Example of a completed Attachment C-4:

GOOD FAITH EFFORT M/WBE CONTACT LOG (See Part C, SECTION 3, Paragraph E-iii)

(The Completed form is Required only if Good Faith Effort Documentation is being provided as part of this Bid)

IFB No/ Project Name **IFB# Y21-1000**

Name of Person Contacting Firms: Constance Sempher

Company's Name	Email or Fax	Phone Number	Date Contacted M/WBE	Contact Method (Phone, Email or Fax)	Firm to Bid Yes or No	Date and Time Quote Received	Total amount of the M/WBE Quote	Denote if used Total amount of the M/WBE Quote Yes or No
VR Construction 355 Cotton Way Orlando 32801	VLway@gmail.com	407-666-5811	4/12/21	email	Yes	4/16/21 3 PM	\$41,000	Yes
365 Asphalt 365 Cotton Rd Way Kissimmee 34741	blake@365asphalt.com	407-415-3435	4/12/21 4/15/21	email email	No response No	N/A N/A	N/A N/A	N/A N/A
True Transport Inc 4565 True Vine Way Orlando 32801	Lee@truetransport.com	407-365-4545	4/12/2021 4/15/2021	email phone	No response Yes	N/A To provide tomorrow 4/16/21@ 1PM	N/A N/A \$120,000	N/A N/A No

NOT COMPLETING ALL COLUMNS AND SIGNING THIS LOG WILL NEGATIVELY IMPACT YOUR GOOD FAITH EFFORT EVALUATION.
Under penalty of perjury, I declare that I have read the foregoing and the facts stated in it are true. **False statements may result in criminal prosecution for a felony of the third degree as provided for in Section 92.525 (3), Florida Statutes.** I,

Robert Jack

Robert Jack

/ President

/ 4/20/21

(Signature off Authorized Agent),

(Printed Name, Title, and Date)

ATTACHMENT C-4

Frequently Asked Questions

1. If I meet the M/WBE goal, do I have to provide GFE documentation with my bid?

Response: Bidders meeting or exceeding the M/WBE goals do not need to provide GFE documentation.



Frequently Asked Questions

2. How do I contact the Business Development Division staff as a resource to obtain M/WBE participation if I am providing GFE documentation?

Response: Bidders seeking assistance to meet the M/WBE goal can email the general mailbox at businessdevelopment@ocfl.net.



Frequently Asked Questions

3. Do I still need to provide quotes if in 24 hours if I am not one of the three apparent low bidders?

Response: If you are not one of the three apparent low bidders you do not have to provide copies of the quotes within 24 hours.

However, it is suggested that you submit all of the quotes at the time of bid submittal. Just in case the three apparent low bidders are found non-responsive.



Frequently Asked Questions

4. Is the bidder permitted to submit the GFE documentation after the bid opening?

Response: GFE criteria i., ii., iii. and v. must be submitted with the bid at the time of bid submittal.

GFE criteria iv. must be provided within 24 hours.



Frequently Asked Questions

5. Does attachment C-4 have to be completed in its entirety?

Response: Yes. All columns of this form should be completed. Also, the form must be signed and dated.



Frequently Asked Questions

6. By completing the attachment C-4 and submitting emails for the M/WBE firms listed on the form, does this fulfill all of the GFE requirements?

Response: No, Bidders must provide with the bid sufficient documentation to substantiate that ALL FIVE of the mandatory efforts were undertaken.



Frequently Asked Questions

7. How do I find Orange County certified M/WBE firms?

Response: A complete minority vendor listing can be found at:
http://netapps.ocfl.net/MWBE/default.aspx?Report_Type=Complete;

A complete Graduate listing of Orange County certified firms can be found at:
http://netapps.ocfl.net/MWBE/default.aspx?Report_Type=Graduate



Frequently Asked Questions

8. What is the difference between the complete minority vendor list of certified M/WBE's and the complete Graduate listing of certified M/WBE firms?

Response: The difference between the two M/WBE listings is the Graduate listing are certified M/WBE firms that have a net worth of \$2.3 million dollars or more.



Frequently Asked Questions

9. How do I find Orange County registered SDV firms?

Response: A complete SDV vendor listing can be found at:
http://netapps.ocfl.net/MWBE/default.aspx?Report_Type=SDV



Frequently Asked Questions

10. Can I use a Registered SDV firm to count towards the M/WBE goal?

Response: No, the Registered SDV program is different from the M/WBE program.



Contact Information

We're Here to Help!

Your success means an bidding opportunity for our certified M/WBE firms and registered SDV firms

Contact

Orange County Business Development:
(407) 836-7317

Or send an email to:

BusinessDevelopment@ocfl.net

