

## GOOD FAITH EFFORTS (GFE) REQUIREMENTS

In order to determine DBE/MWBE compliance and to ensure that the Contractor is the lowest conforming bidder, please submit the Utilization Plan for all Subcontractors (TA-W1022), AAPHC 89 - DBE/MWBE Utilization Worksheet (TA-W1037) and all GFE documents within 10 business days of the bid opening pursuant to the provisions set forth in the Bid/Contract and as deemed appropriate by NYS Thruway Authority. Failure to submit on time may result in the delay of the award of contract, withholding of the mobilization pay item & monthly estimates, and/or assessment of liquidated damages.

- 1. The names and dates of all general circulation, trade association, and DBE/MWBE – oriented publications in which you solicited certified MWBEs for the purposes of complying with your participation goals related to this contract.
- 2. Submit the DBE/MWBE Solicitation Log (TA-W1055) listing all certified DBEs/MWBEs identified from either the NYS DBE or MWBE Directories that were solicited for purposes of complying with your DBE/MWBE Utilization Plan. Please note that Contractors are required to contact unresponsive firms by at least two additional methods of contact. Also, provide written justification for the DBE/MWBE firms that submitted quotes, however were not selected.
- 3. Sample copies of notices, dates of contact, letters, and other correspondence as proof that solicitations were made in writing to all certified DBEs/MWBEs. Please note that telephone correspondences should be followed-up in writing for proof of solicitations.
- 4. Provide copies of responses to your solicitations along with copies of all quotes received by certified DBEs/MWBEs. Also, provide the non-DBEs/non-MWBEs quotes for comparison, if chosen instead of a MWBE firm. Please be advised that some “additional cost” may be necessary in using DBE/MWBE firms and is not sufficient reason for a bidder’s failure to meet the contract DBE/MWBE goal. Please See NYS DOT Standard Specification, Section G. Good Faith Efforts – 6b.
- 5. Provide a description of any contract documents, plans, or specifications made available to certified DBE/MWBEs for purposes of soliciting their bids.
- 6. Provide written justification and negotiation details (including price only if higher than bid-price) with potential DBE/MWBE firms and the reasons their quotes were rejected and they were not selected. Please note that telephone correspondences should be followed-up in writing for proof of negotiations.
- 7. Provide a list of items of work your firm anticipates “self-performing”. When unable to meet the DBE/MWBE goals, please be advised that items of work the prime contractor has identified as “self-performing” must be part of your good faith efforts. Please see NYS DOT Standard Specification, Section G. Good Faith Efforts – 6b.
- 8. Utilization Plan for all Subcontractors (TA-W1022) listing all DBE/MWBE and non-DBE/non-MWBE subcontractor, trucking, manufacture and supply firms to be utilized on the project
- 9. Completed Contractor/Consultant MWBE Waiver Request (TA-W1077) that includes the name, title, address, telephone number, and email address of Contractor’s representative authorized to discuss and negotiate this waiver request. The TA-1077 is not required for federal-aid projects with a DBE goal.
- 10. A statement setting forth your basis for requesting a partial or total waiver. Provide any other information you deem relevant that may assist us in evaluating your waiver request.