

# GOOD FAITH EFFORTS GUIDELINES

Contractor shall make and document their good faith efforts to meet Project goals for CERT-certified firms. A list of certified firms can be accessed on the CERT program website at: [cert.smwbe.com](http://cert.smwbe.com).

Good faith efforts should not be an afterthought. If the Project's goals for CERT-certified small businesses are not met, the County will determine if Contractor made sufficient good faith efforts to achieve the goals. The County determines good faith efforts from the totality of circumstances, considering the quantity, quality and timeliness of such efforts.

Good faith efforts to create the maximum practicable subcontracting opportunities for CERT-certified firms for the Project, may include the following actions and documentation thereof:

- 1) Breaking-out subcontracted work requirements into economically feasible units, as appropriate, to facilitate small business participation;
- 2) Searching for applicable CERT certified firms to include in contract opportunities and encouraging eligible small businesses to apply for CERT certifications;
- 3) Soliciting CERT-certified firms as early as possible during the Project's procurement phase;
- 4) Providing CERT-certified firms no less time to respond to a bid solicitation than other solicited firms and providing CERT-certified firms with the same information that is provided to other prospective subcontractors;
- 5) Negotiating in good faith with CERT-certified firms;
- 6) Attending pre-bid conferences to network with interested CERT-certified firms, whether virtual or in-person;
- 7) Participating in or sponsoring networking events to which CERT-certified firms are invited;
- 8) Utilizing the available services of small business associations; local, state, and federal small business assistance offices; and other organizations that assist small businesses;
- 9) Directing CERT-certified firms that need additional assistance to available community resources, such as Elevate Business HC; Minnesota Small Business Assistance Office; Metropolitan Economic Development Association (MEDA) Procurement Technical Assistance Center (PTAC); U.S. Small Business Administration (SBA); SCORE; LegalCORPS; WomenVenture, etc.;
- 10) Participating in a mentor-protégé program with one or more CERT-certified protégé firms;

- 11) Targeting advertising of subcontracting opportunities to CERT-certified firms;
- 12) Providing technical, management and financial training and counseling to CERT-certified firms;
- 13) Notifying CERT-certified firms that trade union membership is not required by the County to hold a subcontract in the Project, only payment of prevailing wage rates to covered craft labor classes;
- 14) Documenting solicitation efforts, responses and results, e.g., work type/description of work/service/material, firm name, contact name (first and last), contact date, contact method (if by phone provide phone number, if by email...), bid amount, result, and additional comments;
- 15) Submitting complete, accurate and timely documents, reports and other information as requested by County; and
- 16) Offering debriefings to unsuccessful CERT-certified bidders/proposers.

**THESE GUIDELINES ARE NOT INTENDED TO BE A MANDATORY CHECKLIST OR EXHAUSTIVE OF POTENTIAL EFFORTS TO MEET PROJECT GOALS. ALL DOCUMENTATION RELATED TO GOOD FAITH EFFORTS MUST BE COLLECTED AND MAINTAINED IN CONTRACTOR'S FILES FOR AT LEAST TWO (2) YEARS.**