

RICHLAND COUNTY GOVERNMENT PROCUREMENT DEPARTMENT

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GOOD FAITH EFFORTS

If a company fails to provide SLBE participation the following information must be submitted to assist the OWNER in determining if the company made acceptable good faith efforts to meet the contract requirements.

Offeror must provide what action was taken to meet the below minimum criteria's for determining good faith efforts are:

- a) SLBE'S must be informed of contracting and subcontracting opportunities;
- b) Offeror must solicit within sufficient time to allow the SLBE'S to respond to the solicitation. Offeror must determine with certainty if the SLBE'S is interested by taking appropriate steps to follow up their initial solicitation;
- c) Offeror should advertised in general circulation, trade association, and minority-focus media concerning the subcontracting opportunities;
- d) Offeror should provide written notice to a reasonable number of specific SLBE'S;
- e) Offeror should follow up initial solicitations of interest by contacting SLBE'S to determine with certainty if they were interested;
- f) Offeror should select portions of work to be performed by SLBE'S in order to increase the likelihood that the requirements are achieved (including, where appropriate, breaking out contract work items into economically feasible units to facilitate participation, even when Contractor might otherwise prefer to perform these work items with its own forces);
- g) Offeror should make available to SLBE'S adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to the solicitation;
- h) Offeror should accept in good faith SLBE'S and not reject them as unqualified without sound reasons based on a thorough investigation of their capabilities. The SLBE'S standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations are not legitimate causes for the rejection or non-solicitation of offers' in the contractor's efforts to meet the project requirements; Evidence of acceptance of offers includes the names, addresses, and telephone numbers of SLBE'S that were considered; and a description of the information provided regarding the plans and specifications of the work selected for subcontracting;
- i) Offeror should use the services of available SLBE'S; community organizations; SLBE'S Contractors' groups; local, state and federal certified SLBE'S. Assistance Offices; and other organizations allowed on a case by case basis to provide assistance in the recruitment and placement of M/WBE'S;
- j) The County may take into account the performance of other Offerors in meeting the requirements. For example, when the apparent successful Offeror fails to meet the requirements, but others meet it, it may reasonably raise the question of whether, with additional reasonable efforts, the apparent successful Offeror could have met the requirements.

- k) Offerors using good business judgment should consider a number of factors in soliciting SLBE'S, including taking a firm's price and capabilities as well as contract requirements into consideration.

The ability or desire of an offeror to perform the work with its own forces does not relieve the Offeror of the responsibility to make good faith efforts. Offerors are not, however, required to accept higher quotes if the price difference is excessive or unreasonable.