



The City of New Orleans establishes an overall goal of 35% utilization of socially and economically disadvantaged businesses for all public spending or private projects that utilize public funding and/or incentives.

FORM DBE-2

Evidence of Good Faith Efforts

Use this form to document Good Faith Efforts in complying with the socially and economically disadvantaged business utilization goal on a Bid, RFP or solicitation response. Contact the Office of Supplier Diversity at 504-658-4200 if you require assistance with completing this or any other DBE form.

This completed form should be furnished to the Bureau of Purchasing by the two (2) lowest bidders within three (3) days of the bid opening.



Office of Supplier Diversity

EQUAL BUSINESS OPPORTUNITY PROGRAMS

FORM DBE-2

EVIDENCE OF GOOD FAITH EFFORTS

This completed form should be furnished to the Bureau of Purchasing by the two (2) lowest bidders within three (3) days of the bid opening.

RFP/RFQ/P.O./Bid/Solicitation/Other # _____ Current Date ____/____/____

Project Description _____

BIDDER/ OFFERER (FIRM): _____

Contact Person: _____ Telephone: _____

Address: _____ City: _____

State _____ Zip _____ E-Mail: _____

To determine whether a bidder/offerer has demonstrated good faith efforts to reach the DBE utilization goal(s) on the above-referenced City of New Orleans project, the Office of Supplier Diversity will consider, AT A MINIMUM, EVIDENCE OF GOOD FAITH EFFORTS as described in the table below.

YES (✓)	NO (✓)	EVIDENCE OF GOOD FAITH EFFORTS
		PRE-BID MEETING(S): The bidder/offerer attended all pre-bid meetings scheduled by the City to inform DBEs of contracting and subcontracting opportunities.
		SLDBE/DBE LIST(S): The bidder/offerer utilized the Office of Supplier Diversity's list or lists of certified SLDBE and/or DBE firms found on www.nola.gov , www.flymsy.com , or www.swbno.org .
		SMALL CONTRACT(S): The bidder/offerer selected specific portions of the work to be performed by DBEs in order to increase the likelihood of meeting the DBE goals (including breaking down contracts into smaller units to facilitate DBE participation).
		FOLLOW-UP: The bidder/offerer followed-up initial indications of interest by DBEs by contacting those DBEs to determine with certainty if they remained interested in bidding.
		ADVERTISEMENT: The bidder/offerer advertised in general circulation and/or trade association publications concerning subcontracting opportunities, and allowed DBEs reasonable time to respond.
		INTERNET ADVERTISING: The bidder/offerer advertised DBE and/or subcontracting opportunities on the <i>City of New Orleans Office of Supplier Diversity</i> Facebook page or other internet portals that are accessible to DBEs and/or potential subcontractors.
		GOOD FAITH NEGOTIATIONS: The bidder/offerer negotiated in good faith with interested DBEs and did not reject DBEs as unqualified without sound business reasons based on a thorough investigation of their capabilities.
		INFORMATION: The bidder/offerer provided interested DBEs with adequate information about the plans, specifications and requirements of the subcontract.
		WRITTEN NOTICE(S): The bidder/offerer took the necessary steps to provide written notice in a manner reasonably calculated to inform DBEs of subcontracting opportunities and allowed sufficient time for them to participate effectively.
		COMMUNITY RESOURCES: The bidder/offerer used the services of available community organizations, small and/or disadvantaged business assistance offices and other organizations that provided assistance in the recruitment and placement of DBE firms.
		CONTRACT RECORDS: The bidder/offerer has maintained the following records for each DBE that has bid on the subcontracting opportunity: 1. Name, address, and telephone number; 2. A description of information provided by the bidder/offerer or subcontractor; and 3. A statement of whether an agreement was reached, and if not, why not, including any reasons for concluding that the DBE was unqualified to perform the job.

FORM DBE-2: EVIDENCE OF GOOD FAITH EFFORTS

BACKGROUND

I. POLICY¹

It is the policy of the City of New Orleans to ensure that DBEs, as defined herein, have an equal opportunity to receive and participate in City contracts. It shall also be the policy of the City:

1. To ensure nondiscrimination in the award and administration of City contracts;
2. To create a level-playing field upon which DBEs can compete fairly for City contracts;
3. To ensure that only firms that fully meet the certification standards described herein are permitted to participate as DBEs;
4. To help remove barriers to the participation of DBEs in City contracts; and
5. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

II. LOCAL AND DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOALS FOR THE CITY OF NEW ORLEANS²

The City of New Orleans establishes an overall goal of 50% utilization of businesses that are locally-owned and controlled for all public spending or private projects that utilize public funding and/or incentives. An overall goal of 35% is established for utilization of socially and economically disadvantaged businesses.

III. DEFINITIONS

1. DISADVANTAGED BUSINESS ENTERPRISE

Disadvantage Business Enterprise or "DBE" refers to a firm that is certified through the City of New Orleans' State and Local Disadvantaged Business Enterprise Certification Program (SLDBE) or a firm that has received SLDBE reciprocity with the City of New Orleans by virtue of the firm's certification as a DBE firm through the Louisiana Unified Certification Program and in accordance with Executive Order MJL 10-02. A firm may become certified as a DBE if it is owned and controlled by a socially and economically disadvantaged person or persons who hold at least 51% ownership and control of the business. Additionally, a DBE must show evidence that the firm's ability to compete in the business world has been restricted due to industry practices and/or limited capital and/or restricted credit opportunities that are beyond its control.

2. DEFINITION OF LOCALLY-OWNED BUSINESS

A locally-owned business is:

- a) A business where its primary office³ is located in Orleans Parish; and
- b) A business that is registered to do business in Orleans Parish as evidenced by a City of New Orleans Occupational License.

IV. STANDARDS OF GOOD FAITH EFFORTS

The Office of Supplier Diversity shall be responsible for determining whether the bidder/offeree has made demonstrated *Good Faith Efforts* to achieve the DBE goal in either the bid submission commitments, or upon award of a contract. In order to be considered responsive to any solicitation for a City contract, the bidder/offeree must, at a minimum, agree to use its *Good Faith Efforts* to fully comply with the DBE Program, including all reporting requirements and any specific contract goals for DBE participation. In order for the City to evaluate the *Good Faith Efforts* made by the bidder/offeree, the following minimum information is to be provided before the contract is approved for award:

¹ Source: CAO Policy Memorandum 24(R)

² Source: Sec. 70.432.1 of the City Charter

³ *Primary Office* is defined as the headquarters, main office, or location for the business from which management, financial, and other executive or board level decisions relating to the overall operations of the company emanate.

FORM DBE-2: EVIDENCE OF GOOD FAITH EFFORTS

- a) A report of all proposals received from a joint venture of DBEs and locally-owned firms. The report shall indicate the action taken by the bidder/offeree in response to the submitted proposals that have been rejected, and the reason for rejection shall be indicated.
- b) Documentation of efforts to enter into agreements with DBEs and locally-owned firms for contracted work and efforts to arrange for a joint venture, partnership or other multi-entity relationship with DBEs and locally owned and controlled firms.
- c) Documented contact with DBEs and locally-owned firms, associations, or business development organizations which disseminate information to DBEs and locally-owned and controlled firms.
- d) A copy of letters sent to groups in relevant market sectors notifying them of the bidder's/ offerer's intent to submit a proposal to the City of New Orleans.
- e) Description of assistance provided by the bidder to DBEs and locally-owned firms:
 - 1. Review of Request for Proposal or other documents issued by the City.
 - 2. Review of the Scope of Work to be performed.
- f) Documentation of any other effort(s) undertaken by the bidder to encourage the participation of DBEs and locally-owned firms.
- g) Overall operation of the bidder/offeree may be considered in evaluating the *Evidence of Good Faith Efforts* of the bidder/offeree to comply with the goals and intent of the local and disadvantaged business enterprise goals for the City of New Orleans.
- h) Any other documentation to demonstrate *Evidence of Good Faith Efforts* to satisfy the objectives outlined above.

V. ASSISTANCE

You may contact the Office of Supplier Diversity for assistance with completing this or any other DBE form or document. You may also contact the Office of Supplier Diversity for assistance in identifying available, capable, and willing DBE firms.

VI. CONTACT US

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New Orleans, LA 70119
(504) 658-4200 Office
(504) 658-4238 Fax

www.nola.gov/Businesses/Office-of-Supplier-Diversity