

12-5 Complete and Submit CDOT Form 1416 to Document Good Faith Efforts (Prime Contractor)



Details

Responsible Parties

- Prime Contractor

Revision Date of this Document

June 2025

Document Owner

Kelly Whaley, kelly.whaley@state.co.us, 720-930-1523

Procedure Objective

This document is intended to assist the Prime Contractor with completing a CDOT Form 1416, Good Faith Effort Report, to document good faith efforts due to a CDOT Contract Modification Order (CMO).

System Procedures

1. Upon execution of a CDOT Contract Modification Order that adds new work items or increases the total dollar amount of the contract, the Prime Contractor shall review the current DBE commitments on the utilization plan and determine if additional eligible participation is required in order to meet the DBE contract goal. If additional participation is required, steps 2-13 of this process guide shall be completed.
2. Download the CDOT Form 1416 from the CDOT Forms Catalog at <https://www.codot.gov/about/forms>.

CDOT Forms Catalog

Use this page to find CDOT forms on a variety of topics. Please note: If you intend to fill out a form for submission, please first download it and save it. Do not fill it out in your web browser.

Forms can be located by scrolling through the list or by using the search/filter tiles for the Program owner of the form, the Form Number, or the Form Title. Once located click on the File Hyperlink which will take you to the form.

Program ▾	Search by Form Number ▾	Form Title ▾
-----------	-------------------------	--------------

Program ▾	Form Number	Form Title	File Hyperlink
-----------	-------------	------------	----------------

- Complete Section A of the CDOT Form 1416. For additional guidance in this section, refer to the CDOT Form 1416 Instructions.

COLORADO DEPARTMENT OF TRANSPORTATION GOOD FAITH EFFORT REPORT (CDOT Form 1416)					
Section A. Bidder/Prime Contractor and Project Information					
1. Project (S/A) No. or PCN Number (5 digit #):		2. FHWA Project #, Subaward Agreement # from COTRAMS (FTA projects), or PO # (for CM/GC-CM contracts):		3. Project Name:	
4. Name of Bidder/Prime Contractor:		5. Bidder/Prime Contractor's Contact Name:		6. Bidder/Prime Contractor's Contact Title:	
7. Bidder/Prime Contractor's Contact Phone #:			8. Bidder/Prime Contractor's Contact Email Address		

- In Section C of the form, (post-award), the Prime Contractor shall enter the contract summary to date information.

Section C. Contract Summary to Date (not including this request) (to be completed after project is awarded)					
12. Original Contract Amount:		13. Total Change Orders (to date):	\$	14. Total Other Adjustments (to date):	\$
15. Adjusted Contract Amount (applicable to the DBE goal):	\$	16. Contract DBE Goal (to date):	\$		%
17. Commitment (to date):	\$		%	18. Participation (to date):	\$
19. Applicable Small Business Goals (To be completed ONLY for FHWA-funded Design-Build contracts)		<input type="checkbox"/> DBE Design Goal <input type="checkbox"/> DBE Construction Goal		Applicable Contract Year: (July 1, - June 30,)	

Note 1: Section C, box 19 shall only be completed for FHWA-funded Design-Build projects.

Note 2: Section B shall not be completed in the post-award phase of the project.

- In Section D of the form, questions 20-29, describe the efforts that the Prime Contractor made to achieve DBE participation. The prime shall complete the questions in this section of the form and provide any supporting documentation demonstrating the prime's good faith efforts. Attach additional page(s) as necessary when submitting the completed CDOT Form 1416.

Section D. Efforts to Achieve DBE Participation. Complete the questions below and provide any supporting documentation which demonstrates the Bidder/Prime Contractor's good faith efforts. Attach additional page(s) as necessary.
20. Describe the overall plan or approach to meet the contract goal.
21. List the amount and the type of work the Bidder/Prime Contractor intends to self-perform on the contract.
22. List the amount and the type of work the Bidder/Prime Contractor intends to subcontract.
23. List the amount and type of work for all subcontracting opportunities for DBEs. Using the DBE Directory, include the number of DBEs that are certified in the specific NAICS codes for each contracting area.

<p>Section D. Efforts to Achieve DBE Participation (continued...) Describe the efforts to obtain DBE participation (i.e. how the Bidder/Contractor attempted to execute the plan or approach to meeting the contract goal). Cost alone shall not be a reason to reject a DBE and will be considered in the evaluation. Attach additional page(s) if necessary.</p> <p>24. List the direct outreach conducted (state the name of the DBE solicited, date(s) and method of outreach - phone, email, or fax) (attach all supporting documentation for the direct outreach conducted).</p> <p>25. List the indirect outreach conducted to contact DBEs such as events, publications, and/or communication with minority and other organizations. Include date(s), location, and audience of each event, and attach all supporting documentation for the indirect outreach conducted.</p> <p>26. List other efforts made to assist DBEs in competing for or obtaining contracts (accepting quotes from DBEs that may be higher than other subcontractors, modifications to contract scopes, unbundling, mentoring, etc.).</p> <p>27. List and describe any obstacles encountered in assisting or contracting with DBEs.</p> <p>28. Include any other efforts made by the Contractor to obtain DBE participation.</p> <p>29. If the eligible participation submitted on the Form 1414 was miscalculated, determined to be invalid, or otherwise did not meet the contract goal, provide the justification for such deficiencies and the remedies that were taken to avoid the issue in the future. If the Bidder has obtained any additional commitments since submission of the bid, attach the Form 1415(s) and the reason why such commitments were not obtained prior to the proposal due date. (To be completed ONLY if submitted at proposal time)</p>

6. An authorized representative of the Prime Contractor shall sign and date Section E of the CDOT Form 1416.

<p>Section E. Affidavit of Good Faith Efforts</p> <p>The Bidder/Contractor must show that it took all necessary and reasonable steps to achieve the DBE contract goal, which by their scope, intensity, and appropriateness to the objective could reasonably be expected to obtain sufficient DBE participation, even if not fully successful. 49 CFR Part 26, Appendix A sets forth examples and guidance for good faith efforts. The Bidder/Contractor is not limited to the examples provided in 49 CFR Part 26, Appendix A and may provide any documentation that demonstrates good faith efforts to obtain DBE participation on this contract.</p> <p>If, at any time, CDOT has reason to believe that any person or firm has willfully and knowingly provided incorrect information or made false statements, CDOT may initiate suspension or debarment proceedings against the person or firm under 49 CFR Part 26, take enforcement action under 49 CFR Part 31, Program Fraud and Civil Remedies, and/or refer the matter to the Department of Justice or Office of the Inspector General for criminal prosecution under 18 U.S.C. 1001, which prohibits false statements in Federal programs.</p> <p>By signing below, the Bidder/Contractor hereby affirms that it has made good faith efforts and has documented all such efforts on this form and through the attached supporting documentation.</p>	
30. Bidder/Prime Contractor Signature:	31. Date:

7. The Prime Contractor shall submit the completed CDOT Form 1416 and all applicable supporting documentation to the CDOT Project Engineer/Manager.
8. The Prime Contractor has successfully completed and submitted the CDOT Form 1416 to document and request a good faith effort due to a Contract Modification Order (CMO).