

3-9 Conduct Good Faith Effort Review (CRBRC)



Details

Responsible Parties

- CDOT Civil Rights & Business Resource Center (CRBRC)

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Document Owner

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Procedure Objective

This document is intended to assist the CRBRC staff with conducting Good Faith Effort (GFE) reviews.

System Procedures

1. After the DBE utilization plan has been assessed in process guide 3-7, and it has been determined that the low apparent bidder has not met the DBE goal, additional analysis is required to ensure GFE was made by reviewing the CDOT Form 1416, Good Faith Effort Report, and any supporting documentation.
2. Review the bidder's good faith efforts in accordance with Appendix A of 49 CFR Part 26.
Note: Staff may request additional information from the bidder if it is relevant and important to the analysis. The analysis must be in writing and provided to the bidder in the event of an unapproved GFE determination.
3. If it is determined that the bidder made good faith efforts, approve the DBE Utilization Plan by following process guide 3-8, Approve Utilization Plan in B2GNow.
4. If it is determined that the firm did not make good faith efforts, provide written notice (including the analysis) via email to the bidder, along with the process for requesting administrative reconsideration to the Chief Engineer. The Chief Engineer (and her/his/their assistant), Region Civil Rights Office, and Engineering Contracts, and Engineers overseeing the contract should be included in the notice.
Note: The bidder will have 5 business days to request administrative reconsideration. If the Chief Engineer makes the determination to overturn the initial CRBRC's finding that good faith efforts were not made, the DBE utilization plan will be approved (see step 3-8). All documentation related to the administrative reconsideration from the Chief Engineer shall be attached in B2GNow with the approved UP.
5. If it is determined that the bidder made good faith efforts, approve the DBE Utilization Plan (see process guide 3-8).

6. The CRBRC staff has successfully completed the good faith effort (GFE) review.