

**Small Diverse Business (SDB) Participation Summary Sheet**

Solicitation/Project #: **OGC-2022-20**

Issuing Agency: **Department of General Services on behalf of the Office of General Counsel**

Name of Procurement/Project: **Complex Litigation & Litigation Consultants RFP**

SDB Participation Goal (for MBE, WBE, LGBTBE, DOBE, and SDVBE): **16%**

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**Attachments:**

- SDB-1            Instructions for completing SDB Participation Submittal
  
- SDB-2            SDB Participation Submittal
- SDB-3            SDB Utilization Schedule
- SDB-3.1         SDB Utilization Schedule
- SDB-4            Guidance for Documenting Good Faith Efforts to Meet the SDB Participation Goal
  
- SDB-5            Good Faith Efforts Documentation to Support Waiver Request of SDB Participation Goal

**SDB-1**  
**INSTRUCTIONS FOR COMPLETING THE SMALL DIVERSE BUSINESS (SDB)**  
**PARTICIPATION SUBMITTAL**

*PLEASE READ BEFORE COMPLETING THESE DOCUMENTS*  
*Bidders/Offerors do not need to return SDB-1 with their SDB Participation Submittal*

The following instructions include details for completing the SDB Participation Submittal (SDB-2) which Bidders/Offerors must submit in order to be considered responsive.

The following instructions also include details for completing the SDB Utilization Schedule (SDB-3), which Bidders/Offerors must submit for any portion of the SDB participation goal the Bidder/Offeror commits to meeting.

**A Bidders/Offerors' failure to agree to meet the SDB participation goal in full or their failure to receive an approved Good Faith Efforts waiver for any unmet portion of the SDB participation goal will result in the rejection of the bid/proposal as non-responsive.**

- I. **SDB Participation Goal:** The SDB participation goal is set forth in the **SDB and VBE Participation Summary Sheet**. The Bidder/Offeror is encouraged to use a diverse group of subcontractors from the SDB classifications to meet the SDB participation goal.
- II. **SDB Eligibility:**
  1. **Finding SDB firms:** The directory of **DGS-verified** SDB firms can be accessed from the DGS Supplier Search directory at: <http://www.dgs.internet.state.pa.us/suppliersearch>.
  2. **Only SDBs verified by DGS** and as defined herein may be counted for purposes of achieving the SDB participation goal. In order to be counted for purposes of achieving the SDB participation goal, the SDB firm, including an SDB prime, **must be DGS-verified for the consulting services that it is committed to perform.**
    - a. **Unverified SDB** . An SDB whose SDB verification is pending or incomplete as of the solicitation due date and time may not satisfy the SDB participation goal through its own performance. **A self-certified SB that does not have its SDB verification as of the solicitation due date and time cannot satisfy the SDB participation goal through it's own performance.**
    - b. **SDB subcontractors.** To receive credit toward meeting the SDB participation goal, the SDB subcontractor must be a DGS-verified SDB as of the execution of the subcontracting agreement. **A self-certified SB subcontractor that does not have its SDB verification as of the execution of the subcontracting agreement cannot be used to satisfy the SDB participation goal.**
  3. **SDB Requirements:** To be considered an SDB, a firm must be a **DGS-verified** small minority business enterprise (MBE); woman business enterprise (WBE); LGBT business enterprise (LGBTBE); Disability-owned business enterprise (DOBE); Service-Disabled

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Veteran-Owned Small Business Enterprise (SDVBE); or otherwise deemed disadvantaged by the Uniform Certification Program.

Additional information on the DGS verification process can be found at:

<https://www.dgs.pa.gov/Small%20Diverse%20Business%20Program/Pages/default.aspx>

4. Dually verified firms. If a DGS-verified SDB is dually verified as a VBE, the firm may receive credit towards both the SDB participation goal and the VBE participation goal as set forth on the SDB and VBE Participation Summary Sheet.

*Example: The SDB participation goal is 10% and the VBE participation goal is 5%. A subcontractor is DGS-verified as both an SDB and a VBE and will perform 10% of the contract work. The prime contractor can satisfy both the SDB participation goal and the VBE participation goal through that subcontractor's performance of 10% of the contract work., unless otherwise agreed to by the parties in writing and approved by the Bureau of Diversity, Inclusion, and Small Business Opportunities (BDISBO) and the issuing officer. However, an SDB firm verified as both a WBE and MBE may not be double counted toward satisfying the SDB participation goal.*

5. Participation by SDB firms as prime bidders/offerors or subcontractors. A Bidder/Offeror that qualifies as an SDB and submits a bid/proposal is not prohibited from being included as a subcontractor in separate bids/proposals submitted by other Bidders/Offerors. An SDB may be included as a subcontractor with as many prime contractors as it chooses in separate bids/proposals and a prime contractor may not prohibit an SDB from committing to another prime contractor.

6. Questions about SDB verification. Questions regarding the SDB program, including questions about the self-certification and verification processes can be directed to:

Department of General Services

Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO)

Room 611, North Office Building

Harrisburg, PA 17125

Phone: (717) 783-3119

Fax: (717) 787-7052

Email: [RA-BDISBOVerification@pa.gov](mailto:RA-BDISBOVerification@pa.gov)

Website: [www.dgs.pa.gov](http://www.dgs.pa.gov)

### **III. Guidelines Regarding SDB Prime Self-Performance.**

1. An SDB firm participating as a prime bidder/offeror on a procurement may receive credit towards the SDB Participation goal established for the procurement through their own self-performance.

*Example: A solicitation has a 15% SDB participation goal. An SDB prime offeror self-performing contract work valued at only 10% of contract costs (if permitted by the solicitation documents) must still satisfy the remaining 5% SDB*

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*participation goal through subcontracting or must request a Good Faith Efforts Waiver for the unmet SDB participation goal. Failure to satisfy the remaining 5% SDB participation goal or failure to obtain a Good Faith Efforts waiver for the unmet portion of the SDB participation goal will result in rejection of that SDB prime's bid or proposal as non-responsive.*

2. For an SDB prime bidder/offeror to receive credit for self-performance, the SDB prime bidder/offeror must be a **DGS-verified** SDB as of the solicitation due date and time and must list itself in the **SDB Utilization Schedule (SDB-3.1)**.
3. The SDB prime bidder/offeror must also include the classification category (MBE, WBE, LGBTBE, DOBE, and/or SDVBE) under which it is self-performing and include information regarding the work it will self-perform. For any portion of the SDB participation goal not met through the SDB prime bidder/offeror's self-performance, the SDB prime bidder/offeror must also identify on the **SDB Utilization Schedule (SDB-3)** the portion of the SDB participation goal that will be performed by SDB subcontractors it will use to meet the unmet portion of the goal or must request and receive a Good Faith Efforts waiver.

IV. **Calculating SDB participation during compliance.** BDISBO will credit the selected Bidder/Offeror for 100% of the total dollar amounts actually paid to an SDB subcontractor for providing a services toward satisfying the selected bidder/offeror's SDB participation commitment. In addition, the SDB subcontractor, through its own employees, must perform at least 50% of the amount of the subcontract.

V. **Document Submittal Errors.**

1. **Fatal errors.** The following errors will result in rejection of a bid/proposal as non-responsive:
  - a. Failure to submit a completed **SDB Participation Submittal (SDB-2)**;
  - b. Failure to submit an **SDB Utilization Schedule (SDB-3)**, unless the bidder/offeror is seeking a complete Good Faith Efforts waiver;
  - c. Failure to submit a **Good Faith Efforts waiver request** when not fully meeting the SDB participation goal.
2. **Potentially curable errors.** The Issuing Officer and BDISBO may provide Bidders/Offerors the opportunity to provide clarifications or to correct errors not listed as fatal errors above. If the additionally submitted information does not adequately address or clarify the submittal, the bid/proposal may be rejected. **Bidders/Offerors are not permitted to make material changes during clarifications and corrections in order to meet the SDB Participation Goal.**

**SDB-2**  
**SDB PARTICIPATION SUBMITTAL**

**CHECK ONE, AND ONLY ONE, BOX. FAILURE TO COMPLY WILL RESULT  
IN REJECTION OF YOUR BID/PROPOSAL.**

**I agree to meet the SDB participation goal in full.**  
I have completed and am submitting with my bid/proposal an **SDB Utilization Schedule (SDB-3)**, which is required in order to be considered for award.

**I am requesting a partial waiver of the SDB participation goal.** After making good faith outreach efforts as more fully described in the **Guidance for Documenting Good Faith Efforts to Meet the SDB Participation Goal**, I am unable to achieve the total SDB participation goal for this solicitation and am requesting a partial waiver of the SDB participation goal.  
I have completed and am submitting with my bid/proposal both of the following, which are required in order to be considered for award:

1. an **SDB Utilization Schedule (SDB-3)** for that portion of the SDB participation goal for which I intend to meet; AND
2. a **Good Faith Efforts Waiver Request** for any portion of the SDB participation goals that I do not intend to meet.

**I am requesting a full waiver of the SDB participation goal**  
After making good faith outreach efforts as more fully described in the **Guidance for Documenting Good Faith Efforts to Meet the SDB Participation Goal**, I am unable to achieve any part of the SDB participation goal for this solicitation and am requesting a full waiver of the SDB participation goal.  
  
I have completed and am submitting with my bid/proposal a **Good Faith Efforts Waiver Request** for the complete SDB participation goal, which is required in order to be considered for award.

NOTE: SDB primes who are submitting as bidders/offerors must complete an **SDB Utilization Schedule (SDB-3.1)** identifying any self-performance towards the SDB participation goal.

**SDB-3**  
**SDB UTILIZATION SCHEDULE**

**COMPLETE THE FOLLOWING IF YOU WILL BE UTILIZING SDB  
SUBCONTRACTORS TO MEET THE GOAL IN FULL OR IN PART**

Bidders/Offerors are not required to identify the specific SDB subcontractors within this SDB Utilization Schedule, but must identify the total percentage (%) of work to be performed by SDB subcontractors. To receive credit toward meeting the SDB participation goal, the SDB subcontractor must be a DGS-verified SDB as of the execution of the subcontracting agreement.

Percentage of work to be performed by SDB subcontractors: \_\_\_\_\_%

**SDB-3.1**  
**SDB UTILIZATION SCHEDULE**

**COMPLETE THE FOLLOWING IF YOU ARE AN SDB PRIME**

Prime Bidder/Offeror's SAP Vendor Number (6-digit number): \_\_\_\_\_

Prime Bidder/Offeror's SDB Verification Number (located on DGS SDB verification):

\_\_\_\_\_

Type of SDB:            MBE  
                              WBE  
                              DOBE  
                              SDVBE  
                              LGBTBE

Percentage of work to be self-performed by SDB prime bidder/offeror: \_\_\_\_\_ %

**SDB-4**  
**GUIDANCE FOR DOCUMENTING GOOD FAITH EFFORTS TO MEET THE SMALL DIVERSE BUSINESS (SDB) PARTICIPATION GOAL**

*Bidders/Offerors do not need to return SDB-4 with their SDB Participation Submittal*

In order for its bid/proposal to be responsive, the Bidder/Offeror must either (1) meet the SDB participation goal, or (2) when it does not meet the SDB participation goal, submit a Good Faith Efforts waiver request as set forth in Section IV below and the **Good Faith Efforts Documentation to Support Waiver Request (SDB-5)** of SDB Participation Goal.

## **I. Definitions**

**Bidder/Offeror** – for purposes of this **Good Faith Efforts Documentation to Support Waiver Request**, the term “Bidder/Offeror” includes any entity responding to a solicitation including invitation for bids, request for proposals, and other types of best value situations.

**Good Faith Efforts** - The “Good Faith Efforts” requirement means that when requesting a waiver, the Bidder/Offeror must demonstrate that it took all necessary and reasonable steps to achieve the SDB participation goal. Those steps are considered necessary and reasonable when their scope, intensity, and relevance could reasonably be expected to obtain sufficient SDB participation, even if those steps were not fully successful. The Issuing Office and the Department of General Services’ Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO) will determine whether or not the Bidder/Offeror requesting a Good Faith Efforts waiver made adequate Good Faith Efforts by considering the quality, quantity, and intensity of the Offeror’s efforts. Mere *pro forma* efforts are not Good Faith Efforts to meet the SDB participation requirements. The determination concerning the sufficiency of the Bidder/Offeror's Good Faith Efforts is subjective; meeting quantitative formulas is not required.

**Anticipated Scopes of Work** – all of the items of work the Bidder/Offeror identified as possible items of work for performance by SDBs and should include all reasonably identifiable subcontractable work opportunities.

**Identified SDBs**– all of the SDBs the Bidder/Offeror identified as available to perform the Identified Items of Work and should include all DGS-verified SDBs that are reasonably identifiable.

**SDB** – “SDB” refers to Minority Business Enterprises (MBE), Women Business Enterprises (WBE), Disability-Owned Business Enterprises (DOBE), LGBT-Owned Business Enterprises (LGBTBE), and Service-Disabled Veteran-Owned Small Business (SDVBE) verified by BDISBO.

**SDB participation goal** – “SDB participation goal” refers to the SDB participation goal set for a procurement for MBE, WBE, LGBTBE, DOBE, and SDVBE utilization.

## **II. Types of Actions Issuing Office and BDISBO will Consider**

The following are types of actions Issuing Office and BDISBO will consider as part of the Bidder/Offeror 's Good Faith Efforts when the Bidder/Offeror is unable to meet, in full, the SDB participation goal. This list is not intended to be a mandatory checklist, nor is it intended to be exclusive or exhaustive. Other factors or types of efforts may be relevant in appropriate cases.



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**GUIDANCE FOR DOCUMENTING GOOD FAITH EFFORTS TO MEET THE SMALL DIVERSE BUSINESS (SDB) PARTICIPATION GOAL**

**A. Identify Program Items as Anticipated Scopes of Work for SDBs**

1. Anticipated Scopes of Work
  - (a) Bidders/Offerors should reasonably identify sufficient anticipated scopes of work to be performed by SDBs. These anticipated scopes of work should include SDB subcontracting opportunities.
  - (b) Where appropriate, Bidders/Offerors should break out anticipated scopes of work into economically feasible units to facilitate SDB participation, rather than perform these work items with their own forces. **The ability or desire of an Bidder/Offeror to perform the work of a contract with its own organization does not relieve the Bidder/Offeror of the responsibility to make Good Faith Efforts to meet the SDB participation goal.**

**B. Identify SDBs to Solicit**

1. Identified SDBs
  - (a) Bidder/Offerors must reasonably identify SDBs that are available to perform the Anticipated Scopes of Work.
  - (b) Any SDBs identified as available by the Bidder/Offeror should be certified to perform the Anticipated Scopes of Work (i.e., assigned the UNSPSC codes within the DGS Supplier Search that are applicable to the Scope of Work they will be performing).

**C. Solicit SDBs**

1. Bidders/Offerors must solicit a reasonable number of identified SDBs for all Anticipated Scopes of Work by providing written notice. The Bidder/Offeror must:
  - (a) provide the written solicitation to all Identified SDBs at least 10 calendar days prior to bid/proposal due date to allow sufficient time for the Identified SDB to respond;
  - (b) send the written solicitation by first-class mail, facsimile, or e-mail using contact information in the BDISBO Directory, unless the Bidder/Offeror has a valid basis for using different contact information; and
  - (c) provide adequate information about the Anticipated Scopes of Work to assist Identified SDBs in responding. (This information may be provided by including hard copies in the written solicitation or by electronic means as described in C.3 below.)
2. “All” Identified SDBs include any SDB Firms the Bidder/Offeror identifies as potentially available to perform the Anticipated Scopes of Work, but it does not include Identified SDBs who are no longer self-certified to perform the work as of the date the Bidder/Offeror provides written solicitations.
3. “Electronic Means” includes, for example, information provided *via* a website or file transfer protocol (FTP) site containing the plans, specifications, and other requirements of the project. If an interested SDB cannot access the information provided by electronic means, the Offeror must make the information available in a manner that is accessible to the interested SDB.

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# GUIDANCE FOR DOCUMENTING GOOD FAITH EFFORTS TO MEET THE SMALL DIVERSE BUSINESS (SDB) PARTICIPATION GOAL

4. Offerors must follow up on initial written solicitations by contacting Identified SDBs to determine their interest in the Anticipated Scopes of Work. The follow up contact may be made:
  - (a) by telephone using the contact information in BDISBO's Directory, unless the Offeror has a valid basis for using different contact information; or
  - (b) in writing *via* a method that differs from the method used for the initial written solicitation.
5. In addition to the written solicitation set forth in C.1 and the follow up set forth in C.4, use all other reasonable and available means to solicit the interest of Identified SDBs certified to perform the anticipated scopes of work.

### **D. Effort to Solicit SDBs**

1. Bidders/Offerors must make good faith efforts to solicit interested SDBs.
2. Evidence of good faith solicitation includes but is not limited to the following:
  - (a) the names, addresses, and telephone numbers of SDBs that were considered as potentially available to perform the Anticipated Scopes of Work;
  - (b) a description of the information provided regarding the plans and specifications for the Anticipated Scopes of Work and the means used to provide that information;
  - (c) efforts to divide Anticipated Scopes of Work into small tasks or quantities;
  - (d) efforts to identify the interest and availability of SDBs to perform the Anticipated Scopes of Work; and
  - (e) efforts to investigate the capability of SDBs to perform the Anticipated Scopes of Work.
3. Additional costs incurred in finding and using SDBs are not sufficient justification for the Bidder/Offeror's failure to meet the SDB participation goal, as long as such costs are reasonable.
4. The Bidder/Offeror may not use its price for self-performing work as a basis for rejecting an SDB.
5. The Bidder/Offeror shall not reject an SDB as unqualified without sound justification based on a thorough investigation of the firm's capabilities. For each SDB that is rejected as unqualified the Bidder/Offeror must provide a written detailed statement outlining the justification for this conclusion.

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# **GUIDANCE FOR DOCUMENTING GOOD FAITH EFFORTS TO MEET THE SMALL DIVERSE BUSINESS (SDB) PARTICIPATION GOAL**

- (a) The factors to take into consideration when assessing the capabilities of an SDB include, but are not limited to the following: financial capability, physical capacity to perform, available personnel and equipment, existing workload, experience performing the type of work, conduct and performance in previous contracts, and ability to meet reasonable contract requirements.
- (b) The SDB's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of SDBs in the efforts to meet the SDB participation goal.

### **E. Assisting Interested SDBs**

When appropriate under the circumstances, the Issuing Office and BDISBO will consider whether the Bidder/Offeror made reasonable efforts to assist interested SDBs in obtaining:

1. The insurance required by the Agency or the Bidder/Offeror; and
2. Necessary equipment, supplies, materials, or related assistance or services.

### **III. Other Considerations**

In making a determination of Good Faith Efforts, the Issuing Office and BDISBO may consider general market availability and availability of certified SDBs in the area in which the work is to be performed; offers or costs substantiating significant variances between SDB and non-SDB costs of participation and their impact on the overall cost of the contract to the Commonwealth; and any other relevant factors.

The Issuing Office and BDISBO may consider whether the Bidder/Offeror decided to self-perform potentially subcontractable work with its own forces. The Issuing Office and BDISBO also may consider the performance of other Bidder/Offerors in meeting the SDB participation goal. For example, when an Bidder/Offeror fails to meet the SDB participation goal, but others meet it, this raises the question of whether, with additional reasonable efforts, the Bidder/Offeror could have met the SDB participation goal. If the Bidder/Offeror fails to meet the SDB participation goal but meets or exceeds the average SDB participation obtained by other Bidder/Offerors, this, when viewed in conjunction with other factors, could be evidence of the Bidder/Offeror having made Good Faith Efforts.

### **IV. Documenting Good Faith Efforts**

At a minimum, the Bidder/Offeror seeking a Good Faith Efforts waiver of the SDB participation goal or a portion thereof must provide written documentation of its Good Faith Efforts along with its bid/proposal, which may include the following:

#### **A. Anticipated Scopes of Work (complete SDB 5, Part 1 – Identified Items of Work Offeror Made Available to SDBs)**

A detailed statement of the efforts made to select anticipated scopes of work proposed to be performed by SDBs in order to increase the likelihood of achieving the SDB participation goal.

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**GUIDANCE FOR DOCUMENTING GOOD FAITH EFFORTS TO MEET THE SMALL DIVERSE BUSINESS (SDB) PARTICIPATION GOAL**

**B. Outreach and Solicitation**

1. A detailed statement of the efforts made to contact SDBs including:
  - (a) the names, addresses, and telephone numbers of the SDBs who were contacted, with the dates and manner of contacts (letter, fax, e-mail, telephone, etc.) (**complete SDB 5, Part 2 – Identified SDB Firms and Records of Solicitations. Include letters, fax cover sheets, e-mails, etc. documenting solicitations**); and
  - (b) a description of the information provided to SDBs regarding the anticipated scopes of work to be performed and the means used to provide that information.
2. The record of the Bidder/Offeror's compliance with the outreach efforts set forth in **SDB 5, Part 3 - Outreach Efforts Compliance Statement.**

**C. Rejected SDBs (complete SDB 5, Part 4 - Additional Information Regarding Rejected SDBs)**

1. For each SDB that the Bidder/Offeror concludes is not acceptable or qualified, a detailed statement of the reasons for the Bidder/Offeror's conclusion, including the steps taken to verify the capabilities of the SDB and non-SDB firms who perform similar work.

**D. Unavailable SDBs (complete SDB 5, Part 5 – SDB Subcontractor Unavailability Certificate)**

1. **For each SDB that the Bidder/Offeror contacted but found to be unavailable, submit an SDB Subcontractor Unavailability Certificate** or other form of communication signed by the SDB, an email from the SDB indicating the SDB is unavailable, or a statement from the Bidder/Offeror that the SDB refused to sign the SDB Subcontractor Unavailability Certificate or failed to respond.

**E. Other Documentation**

1. Submit any other documentation requested by BDISBO or the Issuing Office to ascertain the Offeror's Good Faith Efforts.
2. Submit any other documentation the Bidder/Offeror believes will help BDISBO or the Issuing Office ascertain its Good Faith Efforts.

**SDB-5**

**GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST OF SDB PARTICIPATION GOAL**

<b>Project Description:</b>	
<b>Commonwealth Agency Name:</b>	
<b>Solicitation #:</b>	
<b>Solicitation Due Date and Time:</b>	

<b>Bidder/Offeror Company Name:</b>	
Bidder/Offeror Contact Name:	
Bidder/Offeror Contact Email:	
Bidder/Offeror Contact Phone Number:	

**Part 1 – Anticipated Scopes of Work Bidder/Offeror Made Available to SDBs**

Identify the anticipated scopes of work that the Bidder/Offeror made available to SDB subcontractors. This includes, where appropriate, those items the Bidder/Offeror identified and subdivided into economically feasible units to facilitate the SDB participation. It is the Bidder/Offeror’s responsibility to demonstrate that the total percentage of the anticipated scopes of work identified for SDB participation met or exceeded the SDB participation goal set for the procurement.

Anticipated Scopes of Work	Does Bidder/Offeror normally self-perform this work?	Was this work made available to SDB Firms? If not, explain why.
	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no

Attach additional sheets if necessary.

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**GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST OF SDB PARTICIPATION GOAL**

**Part 2 – Identified SDBs and Record of Solicitations**

Identify the SDBs solicited to demonstrate interest to perform the Anticipated Scopes of Work made available for SDB participation. Include the name of the SDB solicited, anticipated scopes of work for which the Bidder/Offeror solicited interest, date and manner of initial and follow-up, whether the SDB provided a response, and whether the SDB will be used toward meeting the SDB participation goal.

Note: Copies of all written solicitations and documentation of follow-up calls to SDBs must be attached to this form. For each Identified SDB listed below that Bidder/Offeror is not using to meet the SDB participation goal, Bidder/Offeror should submit an SDB Subcontractor Unavailability Certificate signed by the SDB or a statement from the Bidder/Offeror that the SDB refused to sign the SDB Subcontractor Unavailability Certificate.

Name of Identified SDB and Classification	Describe Anticipated Scope of Work Solicited	Initial Solicitation Date & Method	Follow-up Solicitation Date & Method	Details for Follow-up Calls	SDB interested in Anticipated Scope of Work?	Will SDB be Used?	Reason SDB Rejected
SDB Name:  <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> LGBTBE <input type="checkbox"/> DOBE <input type="checkbox"/> SDVBE		Date:  <input type="checkbox"/> mail <input type="checkbox"/> email <input type="checkbox"/> fax	Date:  <input type="checkbox"/> mail <input type="checkbox"/> email <input type="checkbox"/> fax	Date and Time of Call:  Spoke with:  Left Message:	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> Used other SDB <input type="checkbox"/> Used non-SDB <input type="checkbox"/> Self performing
SDB Name:  <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> LGBTBE <input type="checkbox"/> DOBE <input type="checkbox"/> SDVBE		Date:  <input type="checkbox"/> mail <input type="checkbox"/> email <input type="checkbox"/> fax	Date:  <input type="checkbox"/> mail <input type="checkbox"/> email <input type="checkbox"/> fax	Date and Time of Call:  Spoke with:  Left Message:	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> Used other SDB <input type="checkbox"/> Used non-SDB <input type="checkbox"/> Self performing

Attach additional sheets as necessary.

**SDB-5**  
**GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST OF**  
**SDB PARTICIPATION GOAL**

**Part 3 – SDB Outreach Compliance Statement**

- 1. List the Anticipated Scopes of Work (subcontracting opportunities) for the solicitation along with specific work categories:**

- 2. Attach to this form copies of written solicitations (with Bidder/Offeror’s instructions) used to solicit Identified SDBs for these anticipated scopes of work.**

- 3. Offeror made the following attempts to personally contact the Identified SDBs:**

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**GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST OF SDB PARTICIPATION GOAL**

**Part 4 – Additional Information Regarding Rejected SDBs**

This form must be completed if Part 2 indicates that an SDB was rejected because the Bidder/Offeror will use a non-SDB or will self-perform the Anticipated Scopes of Work. List the Anticipated Scopes of Work, indicate whether the work will be performed by a non-SDB or will be self-performed, and if applicable, state the name of the non-SDB firm.

<b>Describe Anticipated Scope of Work not being performed by SDBs</b>	<b>Self-performing or using non-SDB (provide name of non-SDB if applicable)</b>	<b>Reason why SDB was not used for anticipated scope of work along with brief explanation</b>
	<input type="checkbox"/> self-performing <input type="checkbox"/> using Non-SDB Name:	<input type="checkbox"/> price <input type="checkbox"/> capabilities <input type="checkbox"/> other
	<input type="checkbox"/> self-performing <input type="checkbox"/> using Non-SDB Name:	<input type="checkbox"/> price <input type="checkbox"/> capabilities <input type="checkbox"/> other
	<input type="checkbox"/> self-performing <input type="checkbox"/> using Non-SDB Name:	<input type="checkbox"/> price <input type="checkbox"/> capabilities <input type="checkbox"/> other
	<input type="checkbox"/> self-performing <input type="checkbox"/> using Non-SDB Name:	<input type="checkbox"/> price <input type="checkbox"/> capabilities <input type="checkbox"/> other
	<input type="checkbox"/> self-performing <input type="checkbox"/> using Non-SDB Name:	<input type="checkbox"/> price <input type="checkbox"/> capabilities <input type="checkbox"/> other

Attach additional sheets as necessary.



**SDB-5**  
**GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST OF**  
**SDB PARTICIPATION GOAL**

**Part 5 – SDB Subcontractor Unavailability Certificate**

1. It is hereby certified that the firm of \_\_\_\_\_  
(Name of SDB)

located at \_\_\_\_\_  
(Number) (Street)

\_\_\_\_\_ was offered an opportunity to provide  
(City) (State) (Zip)

\_\_\_\_\_ on Solicitation No. \_\_\_\_\_  
(anticipated scope of work)

by \_\_\_\_\_  
(Name of Prime Contractor's Firm)

\*\*\*\*\*

2. \_\_\_\_\_ (SDB), is either unavailable for the work/service or  
unable to prepare a proposal for this project for the following reason(s):

\_\_\_\_\_  
(Signature of SDB's Representative) (Title) (Date)

\_\_\_\_\_  
(DGS SDB Verification #) (Telephone #)

\*\*\*\*\* 3.

If the SDB does not complete this form, the Bidder/Offeror must complete the following:

To the best of my knowledge and belief, the above-listed SDB is either unavailable for the anticipated  
scope of work for this project or did not provide a response.

\_\_\_\_\_  
(Signature of Bidder/Offeror) (Title) (Date)