

**Veteran Business Enterprise (VBE) Participation Summary Sheet**

Solicitation/Project #: **OGC-2022-27**

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

Name of Procurement/Project: **General Litigation & Emergency Counsel RFP**

VBE Participation Goal (for VBE and SDVBE): **3%**  
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**Attachments:**

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

**VBE-1**  
**INSTRUCTIONS FOR COMPLETING THE VETERAN BUSINESS ENTERPRISE**  
**(VBE) PARTICIPATION SUBMITTAL**

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

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

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

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

I. **VBE Participation Goal:** The VBE 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 VBE classification to meet the VBE participation goal.

II. **VBE Eligibility:**

1. **Finding VBE firms:** The directory of **DGS-verified** VBE firms can be accessed from the DGS Supplier Search directory at: <http://www.dgs.internet.state.pa.us/suppliersearch>.
2. **Only VBEs verified by DGS** and as defined herein may be counted for purposes of achieving the VBE participation goal. In order to be counted for purposes of achieving the VBE participation goal, the VBE firm, including a VBE prime, **must be DGS-verified for the services that it is committed to perform.**
  - a. **Unverified VBE.** A VBE whose verification is pending or incomplete as of the solicitation due date and time may not satisfy the VBE participation goal through its own performance. **A self-certified SB that does not have its VBE verification as of the solicitation due date and time cannot satisfy the VBE participation goal through its own performance.**
  - b. **VBE subcontractors.** To receive credit toward meeting the VBE participation goal, the VBE subcontractor must be a DGS-verified VBE as of the execution of the subcontracting agreement. **A self-certified SB that does not have its VBE verification as of the execution of the subcontracting agreement cannot be used to satisfy the VBE participation goal.**
3. **VBE Requirements:** To be considered a VBE, a firm must be a **DGS-verified** Veteran-Owned Small Business Enterprise or Service-Disabled Veteran-Owned Small Business Enterprise.  
Additional information on the DGS verification process can be found at:  
<https://www.dgs.pa.gov/Small%20Diverse%20Business%20Program/Pages/default.aspx>

**VBE-1**  
**INSTRUCTIONS FOR COMPLETING THE VETERAN BUSINESS ENTERPRISE**  
**(VBE) PARTICIPATION SUBMITTAL**

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 Office.*

5. Questions about VBE verification. Questions regarding the VBE 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 VBE Prime's Self-Performance.**

1. A VBE firm participating as a Prime Bidder/Offeror on a procurement may receive credit towards the VBE Participation goal established for the procurement through their own self-performance.

*Example: A solicitation has a 15% VBE participation goal. A VBE Prime Bidder/Offeror self-performing contract work valued at only 10% of contract costs (if permitted by the solicitation documents) must still satisfy the remaining 5% VBE participation goal through its use of subcontractors or must request a Good Faith Efforts Waiver for the unmet VBE participation goal. Failure to satisfy the remaining 5% VBE participation goal or failure to obtain a Good Faith Efforts waiver for the unmet portion of the VBE participation goal will result in rejection of that VBE prime's bid/proposal as non-responsive.*

**VBE-1**  
**INSTRUCTIONS FOR COMPLETING THE VETERAN BUSINESS ENTERPRISE**  
**(VBE) PARTICIPATION SUBMITTAL**

2. For a VBE Prime Bidder/Offeror to receive credit for self-performance, the VBE Prime Bidder/Offeror must be a **DGS-verified** VBE as of the bid/proposal due date and time and must list itself in the **VBE Utilization Schedule (VBE-3.1)**.
3. The VBE Prime Bidder/Offeror must also include whether it is a Veteran-Owned Small Business Enterprise or a Service-Disabled Veteran-Owned Small Business Enterprise and include information regarding the work it will self-perform. For any portion of the VBE participation goal not met through the VBE Prime's self-performance, the VBE Prime Bidder/Offeror must also identify on the **VBE Utilization Schedule (VBE-3)** the portion of the VBE participation goal that will be performed by VBE subcontractors it will use to meet the unmet portion of the goal or must request and receive a Good Faith Efforts waiver.

**IV. Calculating VBE participation during compliance.** BDISBO will credit the selected Bidder/Offeror for 100% of the total dollar amounts actually paid to a VBE subcontractor for providing a services toward satisfying the selected Bidder/Offeror's VBE participation commitment. In addition, the VBE 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 **VBE Participation Submittal (VBE-2)**;
  - b. Failure to submit an **VBE Utilization Schedule (VBE-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 VBE participation goal.
2. **Potentially curable errors.** The Issuing Office 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 VBE Participation Goal.**

**VBE-2**  
**VBE PARTICIPATION SUBMITTAL**

**CHECK ONE, AND ONLY ONE, BOX.**  
**FAILURE TO COMPLY WILL RESULT IN REJECTION OF YOUR BID/PROPOSAL**  
*Click on bold titles to navigate to that specific page.*

**I agree to meet the VBE participation goal in full.**

I have completed and am submitting with my bid/proposal a **VBE Utilization Schedule (VBE-3)**, which is required in order to be considered for award.

**I am requesting a partial waiver of the VBE participation goal.**

After making good faith outreach efforts as more fully described in the **Guidance for Documenting Good Faith Efforts to Meet the VBE Participation Goal**, I am unable to achieve the total VBE participation goal for this solicitation and am requesting a partial waiver of the VBE 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. a **VBE Utilization Schedule (VBE-3)** for that portion of the VBE participation goal for which I intend to meet; AND
2. a **Good Faith Efforts Waiver Request** for any portion of the VBE participation goals that I do not intend to meet.

**I am requesting a full waiver of the VBE participation goal**

After making good faith outreach efforts as more fully described in the **Guidance for Documenting Good Faith Efforts to Meet the VBE Participation Goal**, I am unable to achieve any part of the VBE participation goal for this solicitation and am requesting a full waiver of the VBE participation goal.

I have completed and am submitting with my bid/proposal a **Good Faith Efforts Waiver Request** for the complete VBE participation goal, which is required in order to be considered for award.

**NOTE:** VBE firms who are submitting as Prime Bidders/Offerors must complete a **VBE Utilization Schedule (VBE-3.1)** identifying any self-performance towards the VBE participation goal.

**VBE-3**  
**VBE UTILIZATION SCHEDULE**

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

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

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

**VBE-3.1**  
**VBE UTILIZATION SCHEDULE**

**COMPLETE THE FOLLOWING IF YOU ARE A VBE PRIME**

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

Prime Bidder/Offeror's VBE Verification Number : \_\_\_\_\_

Type of VBE:

Veteran-Owned Small Business Enterprise

Service-Disabled Veteran-Owned Small Business Enterprise

Percentage of work to be self-performed by VBE Prime Bidder/Offeror's: \_\_\_\_\_ %

**VBE-4**  
**GUIDANCE FOR DOCUMENTING GOOD FAITH EFFORTS TO MEET THE  
VETERAN BUSINESS ENTERPRISE (VBE) PARTICIPATION GOAL**

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

In order for its bid/proposal to be responsive, the Bidder/Offeror must either (1) meet the VBE participation goal, or (2) when it does not meet the VBE 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 (VBE-5)** of VBE 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 VBE participation goal. Those steps are considered necessary and reasonable when their scope, intensity, and relevance could reasonably be expected to obtain sufficient VBE participation, even if those steps were not fully successful. The Issuing Office and the Department of General Services’ Bureaus 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 Bidder/Offeror’s efforts. Mere *pro forma* efforts are not Good Faith Efforts to meet the VBE 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 VBEs and should include all reasonably identifiable subcontractable work opportunities.

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

**VBE** – “VBE” refers to Veteran-Owned Small Business Enterprises and Service-Disabled Veteran-Owned Small Business Enterprises verified by BDISBO.

**VBE participation goal** – “VBE participation goal” refers to the VBE participation goal set for a procurement for Veteran-Owned Small Business Enterprise and Service-Disabled Veteran-Owned Small Business Enterprise utilization.

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

The following are types of actions the 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 VBE 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.

**VBE-4**  
**GUIDANCE FOR DOCUMENTING GOOD FAITH EFFORTS TO MEET THE  
VETERAN BUSINESS ENTERPRISE (VBE) PARTICIPATION GOAL**

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

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

**B. Identify VBEs to Solicit**

1. Identified VBEs
  - (a) Bidders/Offerors must reasonably identify VBEs that are available to perform the Anticipated Scopes of Work.
  - (b) Any VBEs 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 VBEs**

1. Bidders/Offerors must solicit a reasonable number of identified VBEs for all Anticipated Scopes of Work by providing written notice. The Bidder/Offeror must:
  - (a) provide the written solicitation to all Identified VBEs at least 10 calendar days prior to bid/proposal due date to allow sufficient time for the Identified VBE 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 VBEs 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 VBEs include any VBE Firms the Bidder/Offeror identifies as potentially available to perform the Anticipated Scopes of Work, but it does not include Identified VBEs 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 VBE cannot access the information provided by electronic means, the Bidder/Offeror must make the information available in a manner that is accessible to the interested VBE.

## VBE-4

### GUIDANCE FOR DOCUMENTING GOOD FAITH EFFORTS TO MEET THE VETERAN BUSINESS ENTERPRISE (VBE) PARTICIPATION GOAL

4. Bidders/Offerors must follow up on initial written solicitations by contacting Identified VBEs 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 Bidder/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 VBEs certified to perform the anticipated scopes of work.

#### D. Effort to Solicit VBEs

1. Bidders/Offerors must make good faith efforts to solicit interested VBEs.
2. Evidence of good faith solicitation includes but is not limited to the following:
  - (a) the names, addresses, and telephone numbers of VBEs 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 VBEs to perform the Anticipated Scopes of Work; and
  - (e) efforts to investigate the capability of VBEs to perform the Anticipated Scopes of Work.
3. Additional costs incurred in finding and using VBEs are not sufficient justification for the Bidder/Offeror's failure to meet the VBE 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 a VBE.
5. The Bidder/Offeror shall not reject a VBE as unqualified without sound justification based on a thorough investigation of the firm's capabilities. For each VBE that is rejected as unqualified the Bidder/Offeror must provide a written detailed statement outlining the justification for this conclusion.

**VBE-4**  
**GUIDANCE FOR DOCUMENTING GOOD FAITH EFFORTS TO MEET THE  
VETERAN BUSINESS ENTERPRISE (VBE) PARTICIPATION GOAL**

- (a) The factors to take into consideration when assessing the capabilities of an VBE 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 VBE'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 VBEs in the efforts to meet the VBE participation goal.

**E. Assisting Interested VBEs**

When appropriate under the circumstances, the Issuing Office and BDISBO will consider whether the Bidder/Offeror made reasonable efforts to assist interested VBEs 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 VBEs in the area in which the work is to be performed; offers or costs substantiating significant variances between VBE and non-VBE 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 Bidders/Offerors in meeting the VBE participation goal. For example, when an Bidder/Offeror fails to meet the VBE participation goal, but others meet it, this raises the question of whether, with additional reasonable efforts, the Bidder/Offeror could have met the VBE participation goal. If the Bidder/Offeror fails to meet the VBE participation goal but meets or exceeds the average VBE participation obtained by other Bidders/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 VBE 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 VBE 5, Part 1 – Identified Items of Work Bidder/Offeror Made Available to VBEs)**

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

**VBE-4**  
**GUIDANCE FOR DOCUMENTING GOOD FAITH EFFORTS TO MEET THE  
VETERAN BUSINESS ENTERPRISE (VBE) PARTICIPATION GOAL**

**B. Outreach and Solicitation**

1. A detailed statement of the efforts made to contact VBEs including:
  - (a) the names, addresses, and telephone numbers of the VBEs who were contacted, with the dates and manner of contacts (letter, fax, e-mail, telephone, etc.) (**complete VBE 5, Part 2 – Identified VBE Firms and Records of Solicitations. Include letters, fax cover sheets, e-mails, etc. documenting solicitations**); and
  - (b) a description of the information provided to VBEs 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 **VBE 5, Part 3 - Outreach Efforts Compliance Statement.**

**C. Rejected VBEs (complete VBE 5, Part 4 - Additional Information Regarding Rejected VBEs)**

1. For each VBE 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 VBE and non-VBE firms who perform similar work.

**D. Unavailable VBEs (complete VBE 5, Part 5 – VBE Subcontractor Unavailability Certificate)**

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

**VBE-5**

**GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST OF VBE 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 VBEs**

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

Anticipated Scopes of Work	Does Bidder/Offeror normally self-perform this work?	Was this work made available to VBE 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.

**VBE-5**

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

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

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

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

<b>Name of Identified VBE and Classification</b>	<b>Describe Anticipated Scope of Work Solicited</b>	<b>Initial Solicitation Date &amp; Method</b>	<b>Follow-up Solicitation Date &amp; Method</b>	<b>Details for Follow-up Calls</b>	<b>VBE interested in Anticipated Scope of Work?</b>	<b>Will VBE be Used?</b>	<b>Reason VBE Rejected</b>
VBE Name:  ___ VBE ___ SDVBE		Date:  ___ mail ___ email ___ fax	Date:  ___ mail ___ email ___ fax	Date and Time of Call:  Spoke with:  Left Message:	___ yes ___ no	___ yes ___ no	___ Used other VBE ___ Used non-VBE ___ Self performing
VBE Name:  ___ VBE ___ SDVBE		Date:  ___ mail ___ email ___ fax	Date:  ___ mail ___ email ___ fax	Date and Time of Call:  Spoke with:  Left Message:	___ yes ___ no	___ yes ___ no	___ Used other VBE ___ Used non-VBE ___ Self performing

Attach additional sheets as necessary.

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

**Part 3 – VBE 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 VBEs for these anticipated scopes of work.**

- 3. Bidder/Offeror made the following attempts to personally contact the Identified VBEs:**

**VBE-5**

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

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

This form must be completed if Part 2 indicates that an VBE was rejected because the Bidder/Offeror will use a non-VBE 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-VBE or will be self-performed, and if applicable, state the name of the non-VBE firm.

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

Attach additional sheets as necessary.

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

**Part 5 – VBE Subcontractor Unavailability Certificate**

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

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

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

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

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

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

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

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