



**DBE UNAVAILABILITY CERTIFICATE
(To Be Completed by Prime Bidder/Proposer)**

I, _____ (Title) of _____
 _____ (Prime Bidder/Proposer) certify that on _____ (Date), I contacted
 the following DBE contractor(s) to obtain a bid/proposal for items to be performed on NICTD's
 _____ (Name of Project).

FORM OF BID SOUGHT:

<u>DBE CONTRACTOR</u>	<u>WORK ITEMS SOUGHT</u>	<u>(i.e., Unit Price MATERIAL & LABOR, LABOR ONLY ETC.)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

To the best of my knowledge and belief, said DBE contractor(s) was/were unavailable for work on this project or unable to prepare a bid/proposal for the following reason(s):

 Authorized Signature Printed/Typed Name

 Title Date

Sample Documentation for Good Faith Effort (DBE)

In the event that the Prime Bidder/Proposer is unable to meet the DBE Goal associated with the project the Prime Bidder/Proposer will need to prove that they have put forth a Good Faith Effort to meet or exceed the DBE Goal.

NICTD staff will be looking for documentation that the Prime Bidder/Proposer took the following efforts:

- Researched DBE availability (INDOT's DBE listing/NICTD pre-bid attendance when available),
- DBE interest solicitation early in the procurement process as well as appropriate follow up,
- Breakdown subcontract opportunities to facilitate DBE participation (for example smaller tasks or quantities on larger projects that are more manageable for smaller DBE's),
- Providing DBE's with adequate information regarding the project to facilitate participation,
- Negotiating with interested DBE's. It is the bidder's responsibility to make a portion of the work available to DBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and suppliers, so as to facilitate DBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of DBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional Agreements could not be reached for DBEs to perform the work,
- Not rejecting DBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities,
- Whenever necessary Prime Bidder/Proposer should assisted interested DBEs in obtaining bonding, lines of credit, or insurance as required as well as assisting DBEs in obtaining necessary equipment, supplies, materials, or related assistance.

Please note that the ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the bidder of the responsibility to make good faith efforts. Prime contractors are not, however, required to accept higher quotes from DBEs if the price difference is excessive or unreasonable.

In order for staff to identify good faith efforts have been made documentation of the above should be included in with the procurement submission. Submission of documented email communications and phone discussions with DBEs will aid in identification appropriate efforts were made. Performance of other bidders will be taken into consideration when assessing the DBE efforts and then similar levels of effort made by all Prime Bidder/Proposers.

Additional information regarding DBE can be found on the NICTD Purchasing web page at www.mysouthshoreline.com/about/purchasing.