



**MWBE CERTIFICATION OF GOOD FAITH EFFORTS (CGFE) - REQUIRED FORM**

M/WBE 400 (Revised 1/11)

CIO/OFT requires completion of this form to be submitted by Bidders/Contractors submitting a bid, proposal or proposed negotiated contract, prior to contract award to document "good faith efforts" to provide meaningful participation by New York State-certified MWBE subcontractors or suppliers in the performance of State contracts. Thank you for your participation.

**INSTRUCTIONS:** Please document dates and detailed descriptions of the actions taken, planned, or intended for each good faith effort listed on the attached pages. Do not change our form, but add documentation, narrative or attached pages as needed to supplement your responses. "Past year" means the twelve months immediately preceding the date of this certification. "Upcoming year" means the twelve months immediately following the date of this certification. "You" or "we" refer to the Bidder/Contractor completing this certification. "MWBEs" means minority and women business enterprises certified by the NYS Empire State Development's Division of Minority & Women Owned Business Development (DMWBD) on the DMWBD list. The "DMWBD list" means the current list of NYS-certified MWBEs obtained from DMWBD via the searchable database located at <http://www.esd.ny.gov/MWBE/directorySearch.html> or by contacting Empire State Development Corporation at (518) 292-5250.

Offeror/ Contractor Name: _____	Primary Contact: _____
Address: _____	Telephone No: _____
City, State, Zip: _____	Solicitation/ Contract No: _____

*a) Identifying economically feasible units of the project that could be subcontracted to, or supplies that could be obtained from, NYS-certified MWBEs in order to increase the likelihood of participation by such enterprises. Describe the specific steps you undertook or are planning to undertake in order to reasonably structure the contract scope of work for the purpose of subcontracting with, or obtaining supplies from, NYS-certified MWBEs, with specific dates and activities.*

During the past year, we made the following efforts:

  
  
  

During the upcoming year, we plan to make the following efforts:

  
  
  

*b) Advertising in general circulation, trade association or trade-oriented, or minority and women-oriented publications concerning the subcontracting or supplier opportunity. Provide specific dates, names of publications, and attach copies of any advertisements.*

During the past year, we made the following efforts:

  
  
  

During the upcoming year, we plan to make the following efforts:



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*c) Soliciting in writing a reasonable number of NYS-certified MWBEs about the subcontracting or supplier opportunity in sufficient time to allow those enterprises to participate effectively. Describe and document the actual or planned initial or follow-up solicitations you made to NYS-certified MWBEs during the past year or plan to make in the upcoming year including actual or planned dates of solicitation, the names of NYS-certified MWBEs you solicited or plan to solicit, and copies or logs of written or verbal solicitations.*

During the past year, we made the following efforts:

During the upcoming year, we plan to make the following efforts:

*d) After receiving responses (if any) to your solicitations from interested NYS-certified MWBEs, providing them with adequate information about the plans, specifications and requirements for the subcontracting or supplier opportunity. For those MWBEs you solicited who expressed interest, provide their names and describe specific plans, specifications, requirements or contract documents you provided to them. If you received responses to your solicitations but did not select the responding MWBE(s) to participate in the project, describe the specific reason(s) the responding MWBE(s) were not selected.*

During the past year, we made the following efforts:

During the upcoming year, we plan to make the following efforts:

*e) Negotiating in good faith with NYS-certified MWBEs that submit bids, proposals, or quotations to you concerning their participation in the project and not rejecting, without justifiable reason, as unsatisfactory any bids, proposals or quotations prepared by any such enterprises. Describe and, to the extent permissible by law or contract, provide documentation of such good faith negotiations, including your discussions with these NYS-certified MWBEs about: (i) the nature of the work; (ii) scheduling; (iii) requirements for special equipment; and (iv) opportunities for dividing of work among the bidders, proposers, and various subcontractors and the bids of the NYS-certified MWBEs, including sharing with them any cost estimates from the request for proposal or invitation to bid documents, if available.*

During the past year, we made the following efforts:

During the upcoming year, we plan to make the following efforts:



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*f) Attending pre-bid, pre-award, or other meetings scheduled by CIO/OFT or the NYS Department of Economic Development or its designee to inform minority and women business enterprises of contracting, subcontracting or supplier opportunities available on the project. List the specific pre-bid meetings you attended in the past year, dates, names, and locations of such meetings, or your plans to attend such pre-bid meetings in the upcoming year.*

During the past year, we made the following efforts:

During the upcoming year, we plan to make the following efforts:

*g) Using the services of community organizations, contractor groups, state and federal business assistance offices and other organizations identified by the NYS Department of Economic Development or its designee that provide assistance in the recruitment and placement of MWBEs. Provide the names of all such organizations and the dates upon which you used or plan to use their services.*

During the past year, we made the following efforts:

During the upcoming year, we plan to make the following efforts

*h) Any other good faith efforts not identified above that you have engaged in during the past year, or that you plan to engage in during the upcoming year, in order to increase participation of certified minority and women business enterprises on this project.*

During the past year, we made the following efforts:

During the upcoming year, we plan to make the following efforts

*The undersigned hereby certifies under penalty of perjury that the company on whose behalf s/he is submitting this Certification of Good Faith Efforts has taken or intends to take the specific good faith efforts described above and in any additional pages or documentation the undersigned has attached to this form:*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Sworn to before me this \_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Title

Seal:

\_\_\_\_\_  
Company