

Reminder to all potential bidder of “Good Faith Effort” to contractors to utilize WBE/DBE contractors/subcontractors.

Disadvantaged Business Enterprises

When a water system uses SDWRLF funds for project activities, the USEPA places special emphasis on the utilization of Disadvantaged Business Enterprises (DBE), which includes not only minority- and women-owned businesses, but also any small business especially in rural or “labor surplus areas” or any other firm defined in 40 CFR §33.103. For more information on DBE see EPA’s Resources for Small Businesses webpage. In Oregon, these requirements are organized as follows:

Six Good Faith Efforts. A water system awarded SDWRLF funds and the prime contractor that performs work on the project must take steps (Six Good Faith Efforts) to solicit and to SDWRLF – August 2018 28 contract with Disadvantaged Business Enterprises. It is the responsibility of the water system to ensure that files and records are maintained to document the steps taken. The Six Good Faith Efforts that must be taken are as follows:

1. Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
5. Use the services and assistance of the Small Business Administration (SBA) and the Minority Business Development Agency (MBDA) of the Department of Commerce.
6. If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section. Reporting for Women & Minority-owned Businesses. With every Business Oregon Disbursement Request form, the water system must identify how much of those expenditures (even if none) were to women- or minority-owned businesses.