

**University of Illinois Capital Construction Good Faith Effort Documentation for All Prime Bidders**  
**Including But Not Limited To:**

- 1) Solicit the interest of all capable IL CMS certified MBE/FBE vendors who have the ability to perform the work of the contract through reasonable and available means. Prime bidders must solicit this interest within sufficient time to allow MBE/FBE vendors to respond and to determine with certainty MBE/FBE interest. *Examples of where to solicit interest include but are not limited to: attendance at pre-bid meetings, minority/women's contractor groups, local, state and Federal minority/women business assistance centers, etc.)*
- 2) Based on the available trades a reasonable number of MBE/FBE firms were contacted. A list of all MBE/FBE firms contacted and the dates they were contacted, including documentation from those firms. The prime bidder provided evidence, such as a log of telephone contacts including time and date of call, telephone number, and name of the person called.
- 3) The work selected by the prime bidder for allocation to MBE/FBE firms was selected in order to increase the likelihood that MBE/FBE goals will be achieved. This includes, where appropriate, breaking out contract items into economically feasible units of work or materials to facilitate MBE/FBE participation.
- 4) The prime bidder in a timely manner provided plans, specifications and contract requirements on the work selected for allocation to MBE/FBE firms and copies of all bid solicitation letters to MBE/FBE firms. Letters should contain, as a minimum:
  - a. Project Title and Location
  - b. Classification of Work Items for Which Quotations are Requested
  - c. Date, Time, and Place Quotations are due
  - d. Returnable Acknowledgment of the Solicitation
- 5) The bidder negotiated, in good faith, with the potential MBE/FBE firms by not imposing any conditions which are not similarly imposed on all other subcontractors and suppliers, or by denying benefits ordinarily conferred on subcontractors or suppliers for the type of work for which bids were solicited.
- 6) Evidence of such negotiation includes the names, addresses, and telephone numbers of MBE/FBEs 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 MBE and FBEs to perform the work.
- 7) A prime bidder using good business judgment in negotiation with MBE/FBE vendors would take a number of factors into consideration such as capability, price and owners MBE/FBE contract goals. The fact that, in some cases there may be additional costs involved in finding and using MBE/FBEs is not in itself a sufficient reason for a bidder to not meet a contract goal as long as such costs are reasonable. Bidders are not however, required to accept higher quotes from MBE/FBEs if the price difference is excessive or unreasonable. The 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 MBE/FBEs if the price difference is excessive or unreasonable.
- 8) The University of Illinois will take into account the performance of other bidders in satisfying the contracts specified MBE/FBE participation. For example, when the apparent successful bidder fails to commit to the contract goal but other bidders commit to the goal, the University of Illinois will raise the question of whether, with additional efforts the apparent successful bidder could have committed to the goal.
- 9) The University of Illinois will consider all other evidence of good faith efforts made by the bidder to secure eligible MBE/FBE firms to meet the specified goal. This may include, however is not limited to: bonding, lines of credit or insurance, equipment, materials or supplies, etc.