COMPLIANCE DETERMINATION

Metropolitan Government of Nashville and Davidson County MBE/WBE compliance determined under Ordinance No. BL2018-1419 Chapter 4.46.080 Evaluation of Bid for Program Compliance.

Firms are compliant by:

- Meeting goals and;
- Demonstrating Good Faith Efforts (GFE)
COUNTING PARTICIPATION

Ensure the following:

- Firm is certified in Nashville MSA
- Firms are certified for commodity codes on Compliance Plan
- Firms are registered in iSupplier portal
- Goals are calculated using base bid only on construction projects
- Dollar amounts and/or percentages reflect bids/proposals received
COUNTING PARTICIPATION CONTINUED

- Every level of subcontractor participation may be counted toward the goals
- Dually certified firms can be counted as either MBE or WBE but not both
REQUIREMENTS TO MEET GOALS

- Proposers must submit Compliance Plan with participation that meets or exceeds solicitation goals
- Goals are not a quota
MINIMUM REQUIREMENTS TO ACHIEVE GOOD FAITH EFFORTS (GFE)

Notify Certified Firms using two separate verifiable methods seven business days prior to bid date (e-mail, telephone call, fax, or mail)

❖ Notices should contain project requirements, addenda, contact information and due dates for responding
❖ Follow up with interested MBE/WBE firms
❖ Negotiate in good faith with interested MBEs and WBEs
❖ Publish notice in local publication (i.e. social media, newspaper, trade association publication)
❖ Seek services of trade associations and other minority and women community organizations
❖ Contact BAO for assistance
❖ Select portions of work that will increase MBE/WBE opportunities
GOOD FAITH EFFORT PRECAUTIONS

- Self performance does not relieve the Proposer of the responsibility to demonstrate GFE
- Proposers should not disqualify MBE/WBE firms without sound justifications
- Bid shopping is prohibited
ADDITIONAL REQUIREMENTS

Assist MBE/WBE firms with:

- Bonding, insurance, & lines of credit
- Obtaining necessary equipment, supplies, materials, or related services.
REMINDEERS

Review solicitation documents for project goals

Verify MBE/WBE certifications

Use the availability list and contact BAO if additional scopes of work are identified

Be prepared to submit additional good faith effort documentation if goals are not met.