



State of Connecticut COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

Contract Compliance Unit – 450 Columbus Blvd., Suite 2, Hartford, CT 06103

Promoting Equality and Justice for all People

Good Faith Efforts

How does the CHRO analyze a contractor’s good faith efforts to solicit Small Business Enterprises (“SBE”) and/or Minority Business Enterprises (“MBE”)?

Remember: the goal is to use Department of Administrative Services (“DAS”)-certified SBEs for at least 25% of the work and to use DAS-certified MBEs (ethnic minority-owned businesses), WBEs (women-owned businesses), and DisBEs (businesses owned by persons with disabilities) for at least 6.25% of the work.

Here are the factors the CHRO looks at to determine whether a contractor has made its best good faith effort to provide opportunities for DAS-certified S/M/W/DisBEs to work on state funded projects.

Has the contractor actually achieved its goal? What good faith efforts has the contractor made to achieve those goals?

Evidence of taking reasonable steps to achieve the goals would include, but not be limited to, following the CHRO’s best suggested practices such as:

- Consulting with varied resources, including the State of Connecticut [DAS Supplier Diversity Program](#) to locate M/W/DisBEs;
- Allowing minority and small businesses to competitively bid against each other by soliciting for the trades-related work, materials, and non-trades-related services, or provide an explanation as to why the trades-related work, material, or non-trades-related service was not solicited to S/M/W/DisBEs;
- Using concise responses for bid results (avoid vague responses such as “did not bid” or “no response”; use responses to show follow-up);
- Soliciting bids only from those subcontractors and/or vendors who can provide the trades-related work, material, or non-trades-related service;
- Including all trades-related work, materials, and non-trades-related services within the company’s bidding process or provide an explanation with reference as to why the trades-related work, materials, and non-trades-related services were not solicited to S/M/W/DisBEs; and
- Breaking larger jobs into smaller packages.



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The CHRO will also look for “red flags” that might show lack of good faith. These will be looked at on a case-by-case basis. These include, but are not limited to, the following:

- Incomplete submissions;
- Inaccurate submissions;
- Submissions lack required specificity;
- Soliciting but not awarding any companies for a specific package of trades-related work, materials, or non-trades-related services;
- Soliciting from contractors that do not actually provide the good or service needed;
- Soliciting from contractors that are geographically too far away from the project, making them unlikely to bid;
- Failing to solicit for necessary trades-related work, materials, and non-trades-related services;
- Alleging solicitations to companies that were not actually solicited;
- Awarding a contractor that was not solicited;
- Unaccounted for contract money; and
- False submissions.