

# Good Faith Effort Remedial Actions

Under Section 2-3 of the City Code pertaining to the disqualification of bidders, the City Manager or their designee has the authority to ban contractors from bidding on construction and repair projects if they fail to satisfy the contractual M/WBE requirements and fail to make a good faith effort to meet the contractual percentages for M/WBE participation on formal construction projects. The range and options of disciplinary actions are as follows:

Missed Percentage	<1.9%	2.00%-5.99%	6.00%-9.99%	10% and above
1 <sup>st</sup> Offense	Written reprimand	Written reprimand	Removal from the City's bidder's list for a six month minimum, not to exceed nine months.	Removal from the City's bidder's list for a nine month minimum not to exceed one year.
2 <sup>nd</sup> Offense	Removal from the City's bidder's list for a three month minimum, not to exceed six months.	Removal from the City's bidder's list for a six month minimum not to exceed nine months.	Removal from the City's bidders list for a nine month minimum not to exceed one year.	Removal from the City's bidder's list for a minimum term of one year, not to exceed two years.
3 <sup>rd</sup> Offense	Removal from the City's bidder's list for three years.	Removal from the City's bidder's list for three years.	Removal from the City's bidder's list for three years.	Removal from the City's bidder's list for three years.

\*A written reprimand for the first offense should only be applied once, it is not contingent upon the project value.

\*In the case both the MBE and WBE goals are missed, penalty will be determined by the combined missed percentage.