

EPA Office of Small Business Programs
Disadvantaged Business Enterprise (DBE) Program

Computer-Based Learning Series



THE SIX GOOD FAITH EFFORTS

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Purpose of the Six Good Faith Efforts



The Six Good Faith Efforts are required methods employed by all EPA financial assistance agreement recipients to ensure that all disadvantaged business Enterprises (DBEs) have the opportunity to compete for procurements funded by EPA financial assistance dollars.



The Six Good Faith Efforts



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.

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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.

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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.

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4

Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.

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Use the services and assistance of the Small Business Administration (SBA) and the Minority Business Development Agency (MBDA) of the Department of Commerce.

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6

If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

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Who is Required to Follow the Good Faith Efforts?



Pursuant to [40 CFR 33.301](#), a recipient, including one exempted from applying the [fair share objective](#) requirements by [§33.411](#), is required to make good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, even if it has achieved its fair share objectives.



Must a Native American recipient or prime contractor follow the six good faith efforts?



A Native American (either as an individual, organization, corporation, Tribe or Tribal Government) recipient or prime contractor must follow the six good faith efforts only if doing so would not conflict with existing Tribal or Federal law, including but not limited to the Indian Self-Determination and Education Assistance Act ([25 U.S.C. 450e](#)), which establishes, among other things, that any federal contract, subcontract, grant, or subgrant awarded to Indian organizations or for the benefit of Indians, shall require preference in the award of subcontracts and subgrants to Indian organizations and to Indian-owned economic Enterprises ([40 CFR 33.304](#)).



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Knowledge Check



Recipients are required to follow the six good faith efforts whenever procuring construction, equipment, services and supplies.

TRUE

FALSE

Recipients that are exempt from the fair share objective requirements are also exempt from following the six good faith efforts.

TRUE

FALSE

A recipient is required to follow the six good faith efforts even if it has achieved its fair share objectives.

TRUE

FALSE

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Finish

Congratulations!!



You have completed the Six Good Faith Efforts computer-based learning module.

For more information on the EPA DBE Program, please visit the OSBP [website](#).