



PHYSICAL PLANT DEPARTMENT

HISTORICALLY UNDERUTILIZED BUSINESSES

It is the policy of the State of Texas and Texas A&M University (TAMU) to encourage the use of Historically Underutilized Businesses (HUBs) in our prime contracts, subcontractors, and purchasing transactions. The goal of the HUB Program is to promote equal access and equal opportunity in TAMU contracting and purchasing.

Subcontracting opportunities are anticipated for this solicitation and therefore a HUB Subcontracting Plan (HSP) is required. Failure to submit a comprehensive, acceptable HSP will be considered a material failure to comply with the requirements of the advertised solicitation and will result in rejection of the submittal.

For information regarding the HUB Subcontracting Plan requirements, please contact Connie Booker, Physical Plant HUB Program Manager at 979-845-5442 or via email at cbooker@tamu.edu.

PHYSICAL PLANT DEPARTMENT

ARTICLE I

TEXAS A&M UNIVERSITY (TAMU) STATEMENT ON UTILIZATION OF HISTORICALLY UNDERUTILIZED BUSINESSES (HUB)

In accordance with the Texas Government Code, Chapter 2161.181-182 and Texas Administrative Code (TAC) Rule §20.11, state agencies shall make a good faith effort to utilize Historically Underutilized Businesses (HUBs) in contracts for construction services, including professional and consulting services and commodities contracts. Comptroller of Public Accounts HUB Rules, TAC Rule §20.11-§20.28 encourages the use of HUBs by implementing these policies through race, ethnic and gender-neutral means.

The purpose of the HUB Program is to promote full and equal business opportunities for all businesses in State contracting in accordance with the goals specified in the State of Texas Disparity Study. Goals are as follows:

1. 11.9% for heavy construction other than building contracts;
2. 26.1% for all building construction, including general contractors and operative builders contracts;
3. 57.2% for all special trade construction contracts;
4. 20% for professional services contracts;
5. 33% for all other services contracts; and
6. 12.6% for commodities contracts.

A Historically Underutilized Business (HUB) is defined by statute as an entity with its principal place of business in this state that is: (a) a corporation formed for the purpose of making a profit in which at least 51% of all classes of the shares of stock or other equitable securities are owned by one or more persons who are economically disadvantaged because of their identification as members of the following groups, including African Americans, Hispanic Americans, American Women, Asian Pacific Americans and Native Americans and have suffered the effects of discriminatory practices or similar insidious circumstances over which they have no control; and have a proportionate interest and demonstrate active participation in the control operation and management of the corporation's affairs; (b) a sole proprietorship created for the purpose of making a profit that is 100% owned, operated, and controlled by a person described in subdivision (a) of the subsection; (c) a partnership formed for the purpose of making a profit in which 51% of the assets and interest in the partnership is owned by one or more persons and demonstrate active participation in the control, operation and management of the partnership's affairs; (d) a joint venture in which entity in the joint venture is a HUB under this subsection; or, (e) a supplier contract between a HUB under this subsection and a prime Contractor under which the HUB is directly involved in the manufacture or distribution of the supplies or materials or otherwise warehouses and ships the supplies.

TAMU shall make a good faith effort to meet or exceed the State of Texas Disparity Study goals and to assist HUBs in receiving a portion of the total contract value of all contracts that the university expects to award in a fiscal year. It is the policy of TAMU to contract directly with HUBs or indirectly through subcontracting opportunities in accordance with the Texas Government Code, Chapter 2161, Subchapter F and Comptroller of Public Accounts HUB Rules, Texas Administrative Code, Rule §20.14.

The total expected value of this contract is \$100,000 or more and TAMU has determined that subcontracting opportunities are probable for this contract. Therefore, the Respondent is required to submit a HUB Subcontracting Plan (HSP) with their response. The Respondents will use the procedures prescribed in Article II when developing the HSP.

All Respondents must give clear evidence that good faith effort was made to comply with the HUB requirements identified in TAC Rule §20.14, and the HSP shall include the documents shown in Article II, Paragraphs 4.b.i and ii.

TAMU will review the information/documentation and use it as a basis to determine if a good faith effort was made by the Respondent to utilize HUB subcontractors/suppliers on this contract. If it is determined that a good faith effort was not made, the Respondent's response will be considered non-responsive and the response shall be rejected, and the reasons for rejection recorded in the procurement file. An accepted HSP will become a part of any contract/purchase order resulting from this solicitation and can only be modified by completion of the Consultant/Subcontractor Substitution Form, page 9 of this document.

If the Respondent can perform and intends to complete all subcontracting opportunities with its own employees and resources without using any subcontractors, the HSP submitted with the Respondent's submittal/proposal shall only include the documents shown in Article II, Paragraphs 4.c.i and ii.

ARTICLE II

HUB SUBCONTRACTING PLAN (HSP) PROCEDURES

The following procedures are specified pursuant to the Comptroller of Public Accounts HUB Rules, TAC Rule §20.13-§20.14:

1. Texas A&M University (TAMU), when entering into a contract with an expected value of \$100,000 or more shall, before the university solicits bids, proposals, offers, or other applicable expressions of interest, determine if it is probable for subcontracting opportunities under the contract.
2. If subcontracting opportunities are not probable, TAMU's bids, proposals, offers, or other applicable expression of interest shall include a statement attesting that it has determined that subcontracting opportunities are not probable under the contract.
3. If subcontracting opportunities are probable, TAMU shall state such probability in its announcements for bids, proposals, offers, or other applicable expression of interest and require the submission of a HUB Subcontracting Plan (HSP). The HSP will become a provision of a contract/purchase order, if awarded by the Owner.
4. The State of Texas HUB Subcontracting Plan forms can be accessed on the TAMU Physical Plant HUB Program website at:

<http://ppweb.tamu.edu/hub.htm#>

PLEASE NOTE that page 2 of the HSP forms must be replicated for each of the categories to be subcontracted by the Respondent.

The HSP forms can be completed on-line and printed or downloaded and the required information entered by hand or typewriter.

- a. An HSP is required as part of bids, proposals, offers, or other applicable expression of interest valued at \$100,000 or more. Responses that do not include the HSP or if the university determines that the HSP was not developed in good faith shall be rejected as a material failure to comply with the advertised specifications.
- b. When TAMU has determined that subcontracting opportunities are probable, Respondent's bids, proposals, offers, or other applicable expression of interest will include:
 - i. Letter of transmittal attesting that the Respondent has read and understands the Policy on Historically Underutilized Businesses (see Attachment A of the HSP);
 - ii. State of Texas Historically Underutilized Business Subcontracting Plan demonstrating how the Respondent made a good faith effort in the development of the HSP and identify the HUBs and non-HUBs that will be utilized for subcontracting opportunities (See State of Texas HSP Form)(See Attachment B1 of the HSP).

- c. When TAMU has determined that subcontracting opportunities are probable, but the Respondent can perform and intends to complete all the subcontracting opportunities with its employees and resources without any subcontractors, the HSP shall include:
 - i. Letter of transmittal attesting that the Respondent has read and understands TAMU's Policy on HUBs; and
 - ii. Self Performance HSP form which attests that the Respondent shall perform the subcontracting opportunities identified by the university, with its own employees and resources (See State of Texas HSP Form, page 3, Sections 9 and 10).

Note: If the Contractor decides after the award to subcontract any part of the contract, the Contractor must notify TAMU. The Contractor must comply with the good faith effort requirements relating to developing and submitting a subcontracting plan before any modifications or performance of the awarded contract involving subcontracting can be authorized by TAMU.

- 5. TAMU shall require a Respondent to state whether it is a Texas certified HUB.
- 6. To meet TAMU's good faith effort requirements, the Respondent shall follow, but is not limited to, procedures listed below when developing the HSP:
 - a. Divide the contract work into reasonable portions to the extent consistent with prudent industry practice.
 - b. Provide written justification of the selection process if a non-HUB subcontractor is selected.
 - c. Provide written notice to a minority or women trade organization or development center to assist in identifying potential HUBs by disseminating subcontracting opportunities to their membership/participants. The notice shall, in all instances, include the scope of work, information regarding location to review plans and specifications, information about bonding and insurance requirements, and identify a contact person. Respondent must provide notice to organizations or development centers not less than five (5) working days prior to submission of the response (bid, proposal, offer, or other applicable expression of interest).
 - d. Notify a minimum of three (3) HUBs of the subcontracting opportunities that the Respondent intends to subcontract. The preferable method of notification shall be in writing. The notice shall, in all instances, include the items contained in paragraph 6.c above. The notice shall be provided to potential HUB subcontractors prior to submission of the Respondent's response.
 - e. The Respondent shall provide potential HUB subcontractors reasonable time to respond to the Respondent's notice. "Reasonable time to respond" in this context is no less than five (5) working days from subcontractor's receipt of notice, unless circumstances require a different time period, which is determined by the university and documented in the procurement file.

- f. The Respondent shall use the State of Texas Centralized Master Bidders List (CMBL) or HUB Directory when searching for HUB subcontractors. Respondent may rely on the services of minority, women, and community organizations, Contractor groups, local, state, and federal business assistance offices, and other organizations that provide assistance in identifying qualified applicants for the HUB Program who are able to provide all or select elements of the HUB Subcontracting Plan.

NOTE: A complete list of all State of Texas certified HUBs may be electronically accessed through the Internet at:

<http://cpa.state.tx.us/procurement/cmb/cmbhub.html>

- g. The Respondent shall provide the notice described in this section to **three (3) or more** HUBs that provide the type of work required for **each** subcontracting opportunity identified in the contract specifications or any other subcontracting opportunity the Respondent cannot complete with its own equipment, supplies, materials, and/or employees. **TAMU encourages Respondents to seek and find a “Diverse Group” of Historically Underutilized Businesses for each subcontracting opportunity identified.**
 - h. Documentation showing correspondence between prime and potential HUB subcontractors includes, but is not limited to, contact information, date of delivery confirmation, etc.
7. In making a determination whether a good faith effort has been made in the development of the required HUB subcontracting plan, TAMU shall require the Respondent to submit supporting documentation demonstrating how the Respondent has made a good faith effort according to each criterion listed above. The documentation shall include at least the following:
- a. Whether the Respondent divided the contract work into reasonable portions in accordance with prudent industry practices.
 - b. Whether the Respondent sent notices containing adequate information about bonding, insurance, the plans, the specifications, scope of work, and other requirements of the contract to **three (3) or more** qualified HUBs for **each** subcontracting opportunity allowing reasonable time for HUBs to participate effectively.
 - c. Whether the Respondent negotiated in good faith with qualified HUBs, not rejecting qualified HUBs who were also the best value responsive bidder.
 - d. Whether the Respondent provided notice to a minority or women trade organization or development center to assist in identifying potential HUBs by disseminating opportunities to their membership/participants.
 - e. A list of **all vendors**, including HUBs not listed in the HSP, who responded.
8. The submission of a protégé as a subcontractor in the HSP, when the Respondent is a participant in a Mentor Protégé Program under the Texas Government Code

§2161.065, will constitute a good faith effort for the particular work to be subcontracted with the protégé. The Respondent must submit a copy of the Mentor Protégé Agreement that has been entered into by the Respondent (mentor) and a certified HUB (protégé) as part of their HSP. The Mentor Protégé Agreement must be a fully executed agreement that has been registered with Texas Procurement and Support Services (TPASS) prior to submitting the HSP. The HSP must also identify the work that will be performed by the protégé.

9. Prior to contract award, the HSP and supporting documentation shall be reviewed and evaluated by the TAMU to determine if a good faith effort has been made in accordance with the advertised specifications and Comptroller of Public Accounts HUB rules. If accepted, the HSP will become a provision of the TAMU contract/purchase order. Any change in a subcontractor or vendor, as requested by the Contractor, should not reduce the HUB participation level that was a part of the response at the time of award. IF PARTICIPATION WILL DECREASE, SPECIFIC AUTHORIZATION MUST BE RECEIVED.
10. If TAMU determines that a submitted HSP was not developed in good faith, TAMU shall treat the lack of good faith as a material failure to comply with advertised specifications, and the subject bid or other response shall be rejected. The reason(s) for rejection shall be recorded in the procurement file.
11. If at any time during the term of the contract, it becomes necessary to make a change to the approved HSP, such proposed change must be received for review and approval by TAMU before the change will be effective under the contract. The Contractor must comply with provisions of TAC §20.14 relating to development and evaluation of the HSP, in order to substitute or subdivide the work and/or substitute or add subcontractors prior to any alteration of the HSP. TAMU shall document changes to the HSP. The reasons for proposed change(s) shall be requested on the Consultant/Subcontractor Substitution Form, page 9 of this document, and recorded in the procurement file. In the event that a change is necessary, the requested changes should not reduce the level of HUB participation that was a part of the response at the time of award. IF PARTICIPATION WILL DECREASE, SPECIFIC AUTHORIZATIONS MUST BE RECEIVED.
12. If a Respondent has determined that it can perform all of the contract, the Respondent must sign an affidavit (State of Texas HUB Form, page 3, Section 10) and provide a statement explaining how the Respondent intends to complete the contract with its own equipment, supplies, materials and/or employees (Section 9) and submit with their bid, proposal, offer, or other expression of interest.

If a Respondent has determined it will perform all work with its own equipment, supplies, materials, and/or employees, etc., the Respondent must agree to provide the following if requested by TAMU:

- a. evidence of existing staffing to meet contract objectives
- b. monthly payroll records showing company staff fully engaged in the contract
- c. onsite reviews of company headquarters or work site where services are to be performed
- d. documentation proving employment of qualified personnel holding the necessary licenses and certificates required to perform the work

If the Contractor selected decides to subcontract any part of the contract after the award, the Contractor must comply with provisions of this document relating to developing and submitting a subcontracting plan prior to any modifications or

performance involving subcontracting work can be authorized by TAMU. If the Contractor subcontracts any of the work without prior authorization and without complying with TAC Rule §20.14, the Contractor is deemed to have breached the contract and will be subject to any remedial actions provided by Texas Government Code, Chapter 2161, and TAC Rule §20.14. TAMU may report non-performance relative to its contracts to the Comptroller of Public Accounts in accordance with the TAC Rule (relating to the Vendor Performance and Debarment Program).

13. The Respondent will be required to submit a revised HSP for additional subcontracting opportunities that were not identified in the original HSP and created when the original scope of work expands through a change order, contract amendment or a contract renewal.
14. TAMU requires a Respondent to whom a contract has been awarded, to report to TAMU the identity and the amount paid to its subcontractors, HUBs and non-HUBs. If the Contractor fails to fulfill the HSP specified in the contract, TAMU shall notify the Contractor of any deficiencies. TAMU shall require the Contractor to submit documentation and explain why the failure to fulfill the HSP should not be attributed to a lack of good faith effort by the Contractor.
15. If a determination is made that the Contractor failed to implement the HSP in good faith, TAMU, in addition to any other remedies, may report nonperformance to the Comptroller of Public Accounts in accordance with the TAC Rule (relating to Vendor Performance and Debarment Program).
16. During the term of the contract, TAMU shall determine whether the value of the subcontracts to HUBs meets or exceeds the HSP provisions specified in the contract.

REPORTING REQUIREMENTS

Each Respondent that enters into a contract shall report monthly to TAMU all subcontracting/supplier payments. The report will include HUB and Non-HUB subcontractors/suppliers (**See HSP-Prime Contractor Progress Assessment Report (PAR) form at the TPASS website listed above in Article II, paragraph 4.**). TAMU may request payment documentation in accordance with the Comptroller of Public Accounts HUB Rules that confirms the performance of the Contractor. If a Respondent has determined it will perform all work with its own equipment, supplies, materials, and/or employees, the Respondent shall submit monthly a PAR form verifying compliance with the accepted HSP. During the course of the contract, TAMU shall discuss the performance of the Contractor and document the Contractor performance in the procurement file.

Note: When the prime Contractor/vendor is a HUB, they must perform at least 25% of the total value of the contract with its own or leased employees, as defined by the Internal Revenue Service, in order for TAMU to receive 100% HUB credit for the entire contract.

If a HUB prime Contractor's HSP identifies that it is planning to perform less than 25% of the total value of contract with its own or leased employees, the HUB prime Contractor must report to TAMU the value of the contract that was actually performed by the HUB prime Contractor and the amount to be performed by its HUB subcontractors.

TAMU shall audit the Contractor's compliance with the HSP. If the Contractor is found deficient, TAMU shall give the Contractor an opportunity to submit documentation and explain to TAMU why the failure to fulfill the HSP should not be attributed to a lack of good faith effort by the Contractor.

LETTER OF TRANSMITTAL

(SUBMIT ON YOUR BUSINESS LETTERHEAD)

Connie Booker, CPPB, CTPM
Physical Plant HUB Program Manager
Texas A&M University
Historically Underutilized Business Program
1371 TAMU
College Station, Texas 77843-1371

Subject: HUB Subcontracting Plan
Project/Solicitation Number: ##-####
Project Name:
Texas A&M University – Physical Plant Department
College Station, Texas

Dear Ms. Booker:

I am pleased to forward this HUB Subcontracting Plan as an integral part of our written response submitted in connection with the subject project/solicitation.

I have read and understand Texas A&M University's Policy on Utilization of Historically Underutilized Businesses (HUBs) and the goals for HUB participation.

Sincerely,

(Signature)
(Printed Name)
(Printed Title)

PHYSICAL PLANT DEPARTMENT

Consultant/Subcontractor Substitution Form

1. Consultant/Subcontracting Category: _____
 Original Consultant/Subcontractor: _____
 Replacement Consultant/Subcontractor: _____
2. Reasons for requesting a change in consultant/subcontractor? (Explain in detail)
THIS CHANGE IN CONSULTANTS/SUBCONTRACTORS SHALL NOT CAUSE A REDUCTION IN THE PRIMES' HUB PARTICIPATION PERCENTAGE. (IF HUB PARTICIPATION WILL DECREASE, SPECIFIC AUTHORIZATIONS MUST BE RECEIVED.)
3. Follow the requirements for satisfying TAMU's good faith effort as described in the HUB Subcontracting Plan (HSP) Procedures, Article II.
4. Complete and attach a new HSP identifying the three (3) or more HUBs solicited for this work. Include supporting documentation such as electronic mail, fax transmittals/logs, certified letters, etc. Documentation must be verifiable.
5. Provide documentation of notification to a minority or women trade organization or development center of this work. Include supporting documentation such as electronic mail, fax transmittals/logs, certified letters, etc. Documentation must be verifiable.
6. Note: A Change Order Request (COR) that creates a new category of work that will be performed by a subcontractor not listed on the approved HUB Subcontracting Plan (HSP) requires that the HSP be revised and the Contractor must show evidence of a good-faith-effort in the solicitation of HUB Subcontractors.

The above information is being submitted in conformance with the HUB Subcontracting Plan and I certify that it is true and correct.

_____ Firm Name	TAMU Approval Recommendation:
_____ Authorized Representative's Signature _____ Date	_____ Physical Plant Department HUB Program Manager Date
_____ Print Name	_____ Print Name
_____ Title	_____ Title



HUB SUBCONTRACTING PLAN (HSP)

In accordance with Gov't Code §2161.252, the contracting agency has determined that subcontracting opportunities are probable under this contract. Therefore, respondents, including State of Texas certified Historically Underutilized Businesses (HUBs), must complete and submit a State of Texas HUB Subcontracting Plan (HSP) with their solicitation response.

NOTE: Responses that do not include a completed HSP shall be rejected pursuant to Gov't Code §2161.252(b).

The HUB Program promotes equal business opportunities for economically disadvantaged persons to contract with the State of Texas in accordance with the goals specified in the State of Texas Disparity Study. The HUB goals defined in 34 TAC §20.13 are: *11.9 percent for heavy construction other than building contracts, 26.1 percent for all building construction, including general contractors and operative builders contracts, 57.2 percent for all special trade construction contracts, 20 percent for professional services contracts, 33 percent for all other services contracts, and 12.6 percent for commodities contracts.*

- - Agency Special Instructions/Additional Requirements - -

*** IMPORTANT ***

Note: For help completing the HSP form, an instructional video that explains, in a step-by-step method, how to properly complete the HSP is available on the CPA's website at <http://www.window.state.tx.us/procurement/prog/hub/hub-subcontracting-plan/>.

***Failure to perform **ALL** listed requirements of the HSP and provide acceptable supporting documentation, your response will be considered non-responsive and will be disqualified. Documentation must be verifiable. Once awarded, the Contractor will be subject to debarment pursuant to Gov't Code 2161.253(d) if any modifications are made to the approved HSP without PRIOR approval from TAMU. ***

SECTION 1 - RESPONDENT AND SOLICITATION INFORMATION

- a. Respondent (Company) Name: _____ State of Texas VID #: _____
Point of Contact: _____ Phone #: _____
- b. Is your company a State of Texas certified HUB? ☐ - Yes ☐ - No
- c. Solicitation #: _____

SECTION 2 - SUBCONTRACTING INTENTIONS

After having divided the contract work into reasonable lots or portions to the extent consistent with prudent industry practices, the respondent must determine what portion(s) of work, including goods or services, will be subcontracted. Note: In accordance with 34 TAC §20.12., a "Subcontractor" means a person who contracts with a vendor to work, to supply commodities, or contribute toward completing work for a governmental entity. Check the appropriate box that identifies your subcontracting intentions:

- ☐ - Yes, I will be subcontracting portion(s) of the contract.
(If Yes, in the spaces provided below, list the portions of work you will be subcontracting, and go to page 2.)
- ☐ - No, I will not be subcontracting any portion of the contract, and will be fulfilling the entire contract with my own resources.
(If No, complete SECTION 9 and 10.)

Line Item # - Subcontracting Opportunity Description	Line Item # - Subcontracting Opportunity Description
(#1) -	(#11) -
(#2) -	(#12) -
(#3) -	(#13) -
(#4) -	(#14) -
(#5) -	(#15) -
(#6) -	(#16) -
(#7) -	(#17) -
(#8) -	(#18) -
(#9) -	(#19) -
(#10) -	(#20) -

*If you have more than twenty subcontracting opportunities, a continuation page is available at <http://www.window.state.tx.us/procurement/prog/hub/hub-forms/HUBSubcontractingPlanContinuationPage1.doc>

Enter your company's name here: _____ Solicitation #: _____

IMPORTANT: You must complete a copy of this page for each of the subcontracting opportunities you listed in SECTION 2. You may photocopy this page or download copies at <http://www.window.state.tx.us/procurement/prog/hub/hub-forms/HUBSubcontractingPlanContinuationPage2.doc>.

SECTION 3 - SUBCONTRACTING OPPORTUNITY

Enter the line item number and description of the subcontracting opportunity you listed in SECTION 2.

Line Item # _____ Description: _____

SECTION 4 - MENTOR-PROTÉGÉ PROGRAM

If respondent is participating as a Mentor in a State of Texas Mentor Protégé Program, submitting their Protégé (Protégé must be a State of Texas certified HUB) as a subcontractor to perform the portion of work (subcontracting opportunity) listed in SECTION 3, constitutes a good faith effort towards that specific portion of work. Will you be subcontracting the portion of work listed in SECTION 3 to your Protégé?

☐ - Yes (If Yes, complete SECTION 8 and 10.) ☐ - No / Not Applicable (If No or Not Applicable, go to SECTION 5.)

SECTION 5 - PROFESSIONAL SERVICES CONTRACTS ONLY

This section applies to Professional Services Contracts only. All other contracts go to SECTION 6.

Does your HSP contain subcontracting of 20% or more with HUB(s)?

☐ - Yes (If Yes, complete SECTION 8 and 10.) ☐ - No / Not Applicable (If No or Not Applicable, go to SECTION 6.)

In accordance with Gov't Code §2254.004, "Professional Services" means services: (A) within the scope of the practice, as defined by state law of accounting; architecture; landscape architecture; land surveying; medicine; optometry; professional engineering; real estate appraising; or professional nursing; or (B) provided in connection with the professional employment or practice of a person who is licensed or registered as a certified public accountant; an architect; a landscape architect; a land surveyor; a physician, including a surgeon; an optometrist; a professional engineer; a state certified or state licensed real estate appraiser; or a registered nurse.

SECTION 6 - NOTIFICATION OF SUBCONTRACTING OPPORTUNITY

Complying with a, b and c of this section constitutes Good Faith Effort towards the portion of work listed in SECTION 3. After performing the requirements of this section, complete SECTION 7, 8 and 10.

- Provide written notification of the subcontracting opportunity listed in SECTION 3 to three (3) or more HUBs. Use the State of Texas' Centralized Master Bidders List (CMBL), found at <http://www2.cpa.state.tx.us/cmb/cmbhub.html>, and its HUB Directory, found at <http://www2.cpa.state.tx.us/cmb/hubonly.html>, to identify available HUBs. Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.
- Provide written notification of the subcontracting opportunity listed in SECTION 3 to a minority or women trade organization or development center to assist in identifying potential HUBs by disseminating the subcontracting opportunity to their members/participants. A list of trade organizations and development centers may be accessed at <http://www.window.state.tx.us/procurement/prog/hub/mwb-links-1/>. Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.
- Written notifications should include the scope of the work, information regarding the location to review plans and specifications, bonding and insurance requirements, required qualifications, and identify a contact person. Unless the contracting agency has specified a different time period, you must allow the HUBs no less than five (5) working days from their receipt of notice to respond, and provide notice of your subcontracting opportunity to a minority or women trade organization or development center no less than five (5) working days prior to the submission of your response to the contracting agency.

SECTION 7 - HUB FIRMS CONTACTED FOR SUBCONTRACTING OPPORTUNITY

List three (3) State of Texas certified HUBs you notified regarding the portion of work (subcontracting opportunity) listed in SECTION 3. Specify the vendor ID number, date you provided notice, and if you received a response. Note: Attach supporting documentation (letters, phone logs, fax transmittals, electronic mail, etc.) demonstrating evidence of the good faith effort performed.

Company Name	VID #	Notice Date (mm/dd/yyyy)	Was Response Received?
_____	_____	____/____/____	☐ - Yes ☐ - No
_____	_____	____/____/____	☐ - Yes ☐ - No
_____	_____	____/____/____	☐ - Yes ☐ - No

SECTION 8 - SUBCONTRACTOR SELECTION

List the subcontractor(s) you selected to perform the portion of work (subcontracting opportunity) listed in SECTION 3. Also, specify the expected percentage of work to be subcontracted, the approximate dollar value of the work to be subcontracted, and indicate if the company is a Texas certified HUB.

Company Name	VID #	Expected % of Contract	Approximate Dollar Amount	Texas Certified HUB?
_____	_____	%	\$	☐ - Yes ☐ - No*
_____	_____	%	\$	☐ - Yes ☐ - No*

*If the subcontractor(s) you selected is not a Texas certified HUB, provide written justification of your selection process below:

Enter your company's name here: _____

Solicitation #: _____

SECTION 9 - SELF PERFORMANCE JUSTIFICATION

(If you responded "No" to SECTION 2, you must complete SECTION 9 and 10.)

Does your response/proposal contain an explanation demonstrating how your company will fulfill the entire contract with its own resources?

- ☐ - Yes If Yes, in the space provided below, list the specific page/section of your proposal which identifies how your company will perform the entire contract with its own equipment, supplies, materials and/or employees.
- ☐ - No If No, in the space provided below, explain how your company will perform the entire contract with its own equipment, supplies, materials, and/or employees.

SECTION 10 - AFFIRMATION

As evidenced by my signature below, I affirm that I am an authorized representative of the respondent listed in SECTION 1, and that the information and supporting documentation submitted with the HSP are true and correct. Respondent understands and agrees that, if awarded any portion of the solicitation:

- The respondent must submit monthly compliance reports (Prime Contractor Progress Assessment Report – PAR) to the contracting agency, verifying their compliance with the HSP, including the use/expenditures they have made to subcontractors. (The PAR is available at <http://www.window.state.tx.us/procurement/prog/hub/hub-forms/progressassessmentrpt.xls>).
- The respondent must seek approval from the contracting agency prior to making any modifications to their HSP. If the HSP is modified without the contracting agency's prior approval, respondent may be subject to debarment pursuant to Gov't Code §2161.253(d).
- The respondent must, upon request, allow the contracting agency to perform on-site reviews of the company's headquarters and/or work-site where services are to be performed and must provide documents regarding staff and other resources.

Signature

Printed Name

Title

Date

HUB SUBCONTRACTING PLAN (HSP) “GOOD FAITH EFFORT”
CHECKLIST FOR **CONSTRUCTION** CONTRACTS

NOTE: Responses that do not include a completed HSP shall be rejected pursuant to Gov’t Code §2161.252(b).

- () Completed SECTION 1.
- () Contract work divided into reasonable lots or portions to the extent consistent with prudent industry practices.
- () Written justification provided of your selection process if the subcontractor(s) selected, SECTION 8, is not a Texas certified HUB.
- () Written notice provided to minority or women trade organizations or development centers to assist in identifying HUBs by disseminating subcontracting opportunities to their membership/participants. The notice included the scope of work, information regarding location to review plans and specifications, information about bonding and insurance requirements, and identified a contact person.
- () Written notice provided to minority or women trade organizations or development centers no less than five (5) working days prior to submission of the response (bid, proposal, offer, or other applicable expression of interest).
- () Three (3) or more State of Texas certified HUBs notified, in writing, of the subcontracting opportunities that the respondent intends to subcontract. The Centralized Master Bidders List and/or HUB Directory were used when searching for potential HUB subcontractors.
- () Potential HUB subcontractors allowed no less than five (5) working days from their receipt of notice to respond.
- () Provided the notice described above to three (3) or more State of Texas certified HUBs **per each** subcontracting opportunity, SECTION 3, that provide the type of work required for each subcontracting opportunity identified in the contract specifications or any other subcontracting opportunity the respondent cannot complete with its own **equipment, supplies, materials, and/or employees**.
- () Documented, SECTION 7, the HUBs contacted on the prescribed State of Texas HSP forms revised 10/07.
- () Supporting documentation (certified letters, fax transmittals/logs, electronic mail, etc.) attached demonstrating evidence of the “good faith effort” performed for **each** subcontracting opportunity. Documentation must be verifiable.
- () **If** responded “Yes” to SECTION 2, completed SECTION 2, SECTION 3, SECTION 4, SECTION 5, SECTION 6, SECTION 7, SECTION 8, and SECTION 10.
- () **If** responded “No” to SECTION 2, completed SECTION 9 (Self Performance Justification) **and** SECTION 10 (Affirmation).
- () Signed HSP.