Texas A&M AgriLife Preproposal Meeting

WEBEX: Https://Agrilife-tamu.webex.com
Meeting Number: 926048821
Statewide Historically Underutilized Business (HUB) Program

www.texas4hubs.org
1-888-863-5881

I. T.A.C. § 20.285
II. HUB Subcontracting Plan (HSP)
Texas Administrative Code § 20.284

Most significant changes

§ 20.284(b) - Statewide HUB goals
These goals are based on a 2009 Disparity Study findings and were revised in September 2014.

11.2% Heavy Construction
21.1% Building Construction
32.9% Special Trade
23.7% Professional Services
26.0% Other Services
21.1% Commodities
# Texas A&M AgriLife Goals 2018

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<td>32.90% Special Trade</td>
<td>23.00% Heavy Construction</td>
<td>32.9% Special Trade</td>
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<td>23.70% Professional Services</td>
<td>43.74% Building Construction</td>
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<td>26.0% Other Services</td>
<td>87.02% Professional Services</td>
<td>26.0% Other Services</td>
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<td>28.60% Commodities</td>
<td>26.0% Other Services</td>
<td>23.52% Commodities</td>
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The 3 Methods for Determining Good Faith Effort (GFE) Compliance

**GFE Method 1 (Traditional or Solicitation Method):**

§ 20.285(d)(1)(C)
- Provide notice of subcontracting opportunity to two (2) or more minority or women trade organizations or development centers no less than seven (7) working days prior to submission of the response to the contracting agency.

§ 20.285(d)(1)(D)(iii)
- Notify at least three (3) active HUB businesses of the subcontracting opportunity, allowing them no less than seven (7) working days prior to respond.
GFE Method 2 (Active HUBs):
§ 20.285(d)(1)(C)(ii) - Submit documentation that 100% of all available subcontracting opportunities will be performed by one or more active HUBs.

GFE Method 3 (Meeting/Exceeding Goal):
§ 20.284(d)(1)(C)(iii) - Submit documentation that one or more active HUB subcontractors will be utilized and that the total value of those subcontracts will meet or exceed the statewide goal for the appropriate contract category goal found in § 20.284(b). However, GFE 3 can only be used if the subcontracting work is awarded to active HUB vendors with which you do not have a continuous contract in place for more than five (5) years.
Hurricane Harvey: Taxpayer Resources

The Comptroller's office has information for taxpayers affected by the storm.

Business Center

File & Pay
- Tax Forms
- TEXNET - Electronic Payment Network
- Due Dates

Register
- Sales Tax Permit Application
- Ag Timber Exemptions
- Centralized Master Bidders List (CMBL)
- Texas Direct Deposit eSystems/Webfile

File and Pay Electronically
- File and Pay Electronically
- Webfile Help Videos

Get Help

Tax Help
- Franchise Tax
- Sales and Use Tax
- Property Tax
- Other Taxes
- Frequently Asked Questions
- Electronic Reporting
- Virtual Field Office
- Taxpayer Seminars
- Tax Training Resources

Other Help
- Unclaimed Property
- Texas College Savings Plans
- State Purchasing
- Contact Us
- Local Field Offices
- Agency Directory
- Compact With Texans
- Páginas en Español
- Contingent Fee Legal Services
- Contract Review
The Comptroller’s Statewide Procurement Division connects vendors with state purchasers and contract opportunities, and help state and local government entities procure non-IT goods and services through easily accessible contracts that meet their needs.

With our eprocurement system TxSmartBuy, vendors’ goods and services are listed for easy access and ordering by state and local government purchasers. We also manage and monitor thousands of state contracts to ensure compliance, and provide training for state purchasers and contract managers.

Historically Underutilized Business (HUB) Program
Tap into Texas-sized business opportunities.

Statewide Contracts
- Search Statewide Contracts
- Contract Development
- Contract Management
- Contract Review & Delegation (CAT-RAD)
- Texas Multiple Award Schedule (TXMAS)

Vendor Resources
- Vendor Information Center
- Centralized Master Bidders List (CMBL)
- Historically Underutilized Business (HUB)
- Modify CMBL/HUB Profile
- Electronic State Business Daily (ESBD)

Government Resources
- Vendor Performance Tracking System (VPTS)
- Texas SmartBuy Membership Program
- State Payment Card
- State Travel Management
- State Mail Services
HISTORICALLY UNDERUTILIZED BUSINESS (HUB) PROGRAM

State agencies and universities are constantly looking to work with businesses certified as Historically Underutilized Business (HUB). The goal of this good-faith effort is to actively involve HUBs in the Texas procurement process and ensure they receive a fair share of state business.

View a list of HUB status codes and ethnicity codes.

- Who qualifies to be a Historically Underutilized Business?
- What are the benefits of HUB Certification?
- How do I sign up?

**IMPORTANT:** It is vital to be truthful in all documents provided for HUB certification. It is a state jail felony under Texas Penal Code §37.10 to knowingly provide false information in an application for HUB certification. It is a third degree felony under Texas Government Code §2161.231 to apply for a state contract as a HUB vendor knowing you are not actually a HUB.

If the felony conduct prohibited under Texas Government Code §2161.231 results in the awarding of a state contract, then the act of knowingly acquiring funds derived from that felony conduct may be prosecuted under Texas Penal Code §34.02. An offense under this section is punishable as a felony regardless of the amount of funds derived from the illegal conduct. First degree felony punishment applicable if the value of the funds is $200,000 or more.

- A first degree felony is punishable by 5-99 years or life in prison, and a fine up to $10,000.
- A third degree felony is punishable by 2-10 years in prison, and a fine up to $10,000.
- A state jail felony is punishable by 180 days to 2 years in the state jail, and a fine up to $10,000.
HUB FORMS

- HUB Certification Application Forms
- HUB Certification Checklists by Type
- HUB Subcontracting Plan (HSP) Forms
  - HUB Subcontracting Plan Form (PDF)
    (Includes all HUB Subcontracting plan Word documents listed below)
  - HUB Subcontracting Plan Form, SECTION 2 continuation sheet (PDF)
  - HUB Subcontracting Plan Good Faith Effort - Method A (Attachment A) (PDF)
  - HUB Subcontracting Plan Good Faith Effort - Method B (Attachment B) (PDF)
  - HUB Subcontracting Opportunity Notification Form (PDF)
  - HUB Subcontracting Plan Progress Assessment Report (XLS)
- HUB Merchant Verification Forms for State Charge Card Program
- Mentor Protégé Forms

HUB Publications

HUB Reports
HUB Brochure (PDF)
Grow Your Business (PDF)
Disparity Study

IMPORTANT: It is vital to be truthful in all documents provided for HUB certification. It is a state jail felony under Texas Penal Code 937.10 to knowingly provide false information in an application for HUB certification. It is a third degree felony under Texas Government Code 52161.231 to apply for a state contract as a HUB vendor knowing you are not actually a HUB.
HUB Subcontracting Plan (HSP) QUICK CHECKLIST

While this HSP Quick Checklist is being provided to merely assist you in readily identifying the sections of the HSP form that you will need to complete, it is very important that you adhere to the instructions in the HSP form and instructions provided by the contracting agency.

If you will be awarding all of the subcontracting work you have to offer under the contract to only Texas certified HUB vendors, complete:

- Section 1 - Respondent and Requisition Information
- Section 2 a. - Yes, I will be subcontracting portions of the contract.
- Section 2 b. - List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to Texas certified HUB vendors.
- Section 2 c. - Yes
- Section 4 - Affirmation
- GFE Method A (Attachment A) - Complete an Attachment A for each of the subcontracting opportunities you listed in Section 2 b.

GFE 2 = ACTIVE HUBs

If you will be subcontracting any portion of the contract to Texas certified HUB vendors and Non-HUB vendors, and the aggregate percentage of all the subcontracting work you will be awarding to the Texas certified HUB vendors with which you do not have a continuous contract* in place for more than five (5) years meets or exceeds the HUB Goal the contracting agency identified in the “Agency Special Instructions/Additional Requirements”, complete:

- Section 1 - Respondent and Requisition Information
- Section 2 a. - Yes, I will be subcontracting portions of the contract.
- Section 2 b. - List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to Texas certified HUB vendors and Non-HUB vendors.
- Section 2 c. - No
- Section 2 d. - Yes
- Section 4 - Affirmation
- GFE Method A (Attachment A) - Complete an Attachment A for each of the subcontracting opportunities you listed in Section 2 b.

GFE 3 = MEETING/EXCEEDING GOAL
If you will be subcontracting any portion of the contract to Texas certified HUB vendors and Non-HUB vendors or only to Non-HUB vendors, and the aggregate percentage of all the subcontracting work you will be awarding to the Texas certified HUB vendors with which you do not have a continuous contract* in place for more than five (5) years does not meet or exceed the HUB Goal the contracting agency identified in the “Agency Special Instructions/Additional Requirements”, complete:

- Section 1 - Respondent and Requisition Information
- Section 2 a. - Yes, I will be subcontracting portions of the contract.
- Section 2 b. - List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to Texas certified HUB vendors and Non-HUB vendors.
- Section 2 c. - No
- Section 2 d. - No
- Section 4 - Affirmation
- GFE Method B (Attachment B) - Complete an Attachment B for each of the subcontracting opportunities you listed in Section 2 b.

If you will not be subcontracting any portion of the contract and will be fulfilling the entire contract with your own resources (i.e., employees, supplies, materials and/or equipment), complete:

- Section 1 - Respondent and Requisition Information
- Section 2 a. - No, I will not be subcontracting any portion of the contract, and I will be fulfilling the entire contract with my own resources.
- Section 3 - Self Performing Justification
- Section 4 - Affirmation

*Continuous Contract: Any existing written agreement (including any renewals that are exercised) between a prime contractor and a HUB vendor, where the HUB vendor provides the prime contractor with goods or service, to include under the same contract for a specified period of time. The frequency the HUB vendor is utilized or paid during the term of the contract is not relevant to whether the contract is considered continuous. Two or more contracts that run concurrently or overlap one another for different periods of time are considered by CPA to be individual contracts rather than renewals or extensions to the original contract. In such situations the prime contractor and HUB vendor are entering (have entered) into “new” contracts.
HUB Subcontracting Plan (HSP)
When Self-Performing
HUB Subcontracting Plan (HSP)

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

NOTE: Responses that do not include a completed HSP shall be rejected pursuant to Texas 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 2009 State of Texas Disparity Study. The statewide HUB goals defined in 34 Texas Administrative Code (TAC) §20.284 are:

- 11.2 percent for heavy construction other than building contracts,
- 21.1 percent for all building construction, including general contractors and operative builders’ contracts,
- 32.9 percent for all special trade construction contracts,
- 23.7 percent for professional services contracts,
- 26.0 percent for all other services contracts, and
- 21.1 percent for commodities contracts.

--- Agency Special Instructions/Additional Requirements ---

In accordance with 34 TAC §20.290(d)(1)(D)(iii), a respondent (prime contractor) may demonstrate good faith effort to utilize Texas certified HUBs for its subcontracting opportunities if the total value of the respondent’s subcontracts with Texas certified HUBs meets or exceeds the statewide HUB goal or the agency specific HUB goal, whichever is higher. When a respondent uses this method to demonstrate good faith effort, the respondent must identify the HUBs with which it will subcontract. If using existing contracts with Texas certified HUBs to satisfy this requirement, only the aggregate percentage of the contracts expected to be subcontracted to HUBs with which the respondent does not have a continuous contract* in place for more than five (5) years shall qualify for meeting the HUB goal. This limitation is designed to encourage vendor rotation as recommended by the 2009 Texas Disparity Study.

--- SECTION 1: RESPONDENT AND REQUISITION INFORMATION ---

- **Respondent (Company) Name:**
- **State of Texas VID #:**
- **Point of Contact:**
- **Phone #:**
- **E-mail Address:**
- **Fax #:**
- Is your company a State of Texas certified HUB? □ - Yes □ - No
- **Bid Open Date:** (mm/dd/yyyy)
**SECTION 2: Respondent’s Subcontracting Intentions**

After dividing the contract work into reasonable lots or portions to the extent consistent with prudent industry practices, and taking into consideration the scope of work to be performed under the proposed contract, including all potential subcontracting opportunities, the respondent must determine what portions of work, including contracted staffing, goods and services will be subcontracted. Note: In accordance with 34 TAC §50.029, a "Subcontractor" means a person who contracts with a prime contractor to work, to supply commodities, or to contribute toward completing work for a governmental entity.

a. Check the appropriate box (Yes or No) that identifies your subcontracting intentions:
   - [ ] Yes, I will be subcontracting portions of the contract. (If Yes, complete Item b of this SECTION and continue to Item c of this SECTION.)
   - [ ] No, I will not be subcontracting any portion of the contract, and I will be fulfilling the entire contract with my own resources, employees, goods and services. (If No, continue to SECTION 3 and SECTION 5.)

b. List all the portions of work (subcontracting opportunities) you will subcontract. Also, based on the total value of the contract, identify the percentages of the contract you expect to award to Texas certified HUBs, and the percentage of the contract you expect to award to vendors that are not a Texas certified HUB (i.e., Non-HUB).

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<th>HUBs</th>
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<td>Percentage of the contract expected to be subcontracted to HUBs with which you do not have a continuous contract in place for more than five (5) years</td>
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Aggregate percentages of the contract expected to be subcontracted: %

(Note: If you have more than fifteen subcontracting opportunities, a continuation sheet is available online at [https://www.comptroller.texas.gov/purchasing/vendorhub/forms.php](https://www.comptroller.texas.gov/purchasing/vendorhub/forms.php).

c. Check the appropriate box (Yes or No) that indicates whether you will be using only Texas certified HUBs to perform all of the subcontracting opportunities you listed in SECTION 2, Item b.
   - [ ] Yes (If Yes, continue to SECTION 4 and complete an "HSP Good Faith Effort - Method A (Attachment A)" for each of the subcontracting opportunities you listed.)
   - [ ] No (If No, continue to Item d of this SECTION.)

d. Check the appropriate box (Yes or No) that indicates whether the aggregate expected percentage of the contract you will subcontract with Texas certified HUBs with which you do not have a continuous contract in place for more than five (5) years, meets or exceeds the HUB goal the contracting agency identified on page 1 in the Agency Special Instructions/Additional Requirements.
   - [ ] Yes (If Yes, continue to SECTION 4 and complete an "HSP Good Faith Effort - Method A (Attachment A)" for each of the subcontracting opportunities you listed.)
   - [ ] No (If No, continue to SECTION 4 and complete an "HSP Good Faith Effort - Method B (Attachment B)" for each of the subcontracting opportunities you listed.)

*Continuous Contract*: Any existing written agreement (including any renewals that are exercised) between a prime contractor and a HUB vendor, where the HUB vendor provides the prime contractor with goods or services under the same contract for a specified period of time. The frequency the HUB vendor is utilized or paid during the term of the contract is not relevant to whether the contract is considered continuous. Two or more contracts that run concurrently or overlap one another for different periods of time are considered by CPA to be individual contracts rather than renewals or extensions to the original contract. In such situations the prime contractor and HUB vendor are entering (have entered) into "new" contracts.
SECTION 3: SELF PERFORMING JUSTIFICATION (If you responded “No” to SECTION 2, Item a, you must complete this section and continue to SECTION 4.) If you responded “No” to SECTION 2, Item a, in the space provided below explain how your company will perform the entire contract with its own employees, supplies, materials and/or equipment.

SECTION 4: 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 is true and correct. Respondent understands and agrees that, if awarded any portion of the requisition:

- The respondent will provide notice as soon as practical to all the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor for the awarded contract. The notice must specify at a minimum the contracting agency’s name and its point of contact for the contract, the contract award number, the subcontracting opportunity they (the subcontractor) will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency’s point of contact for the contract no later than ten (10) working days after the contract is awarded.

- The respondent must submit monthly compliance reports (Prime Contractor Progress Assessment Report – PAR) to the contracting agency, verifying its compliance with the HSP, including the use of and expenditures made to its subcontractors (HUBs and Non-HUBs). (The PAR is available at https://www.comptroller.texas.gov/purchasing/docs/hub-forms/ProgressAssessmentReportForm.xlsx).

- The respondent must seek approval from the contracting agency prior to making any modifications to its HSP, including the hiring of additional or different subcontractors and the termination of a subcontractor the respondent identified in its HSP. If the HSP is modified without the contracting agency’s prior approval, the respondent may be subject to any and all enforcement remedies available under the contract or otherwise available by law, up to and including debarment from all state contracting.

- 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 being performed and must provide documentation regarding staffing and other resources.

Reminder:

- If you responded “Yes” to SECTION 2, Items c or d, you must complete an “HSP Good Faith Effort - Method A (Attachment A)” for each of the subcontracting opportunities you listed in SECTION 2, Item b.

- If you responded “No” to SECTION 2, Items c and d, you must complete an “HSP Good Faith Effort - Method B (Attachment B)” for each of the subcontracting opportunities you listed in SECTION 2, Item b.
Self Performing

- Respondent must sign affidavit and provide a statement explaining how the respondent intends to fulfill each subcontracting opportunity.

- Must agree to provide the following if requested by the agency:
  A. evidence of existing staff to meet contract objectives
  B. monthly payroll records showing company staff fully engaged in the contract
  C. on site reviews of company headquarters or work site where services are to be performed
  D. documentation providing the employment of qualified personnel holding the necessary licenses and certificates required to perform the work.
HUB Subcontracting Plan (HSP) When Subcontracting Vendors

- Including contracted staffing, goods and services will be subcontracted
HUB Subcontracting Plan (HSP) when Submitting GFE 2 or GFE 3

GFE 2 = All Active HUBs

GFE 3 = Meeting/Exceeding Goal
HUB Subcontracting Plan (HSP)

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

NOTE: Responses that do not include a completed HSP shall be rejected pursuant to Texas 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 2009 State of Texas Disparity Study. The statewide HUB goals defined in 34 Texas Administrative Code (TAC) §20.284 are:

- 11.2 percent for heavy construction other than building contracts,
- 21.1 percent for all building construction, including general contractors and operative builders’ contracts,
- 32.9 percent for all special trade construction contracts,
- 23.7 percent for professional services contracts,
- 26.0 percent for all other services contracts, and
- 21.1 percent for commodities contracts.

--- Agency Special Instructions/Additional Requirements ---

In accordance with 34 TAC §§20.289(d)(1)(D)(iw), a respondent (prime contractor) may demonstrate good faith effort to utilize Texas certified HUBs for its subcontracting opportunities if the total value of the respondent’s subcontracts with Texas certified HUBs meets or exceeds the statewide HUB goal or the agency specific HUB goal, whichever is higher. When a respondent uses this method to demonstrate good faith effort, the respondent must identify the HUBs with which it will subcontract. If using existing contracts with Texas certified HUBs to satisfy this requirement, only the aggregate percentage of the contracts expected to be subcontracted to HUBs with which the respondent does not have a continuous contract in place for more than five (5) years shall qualify for meeting the HUB goal. This limitation is designed to encourage vendor rotation as recommended by the 2009 Texas Disparity Study.

SECTION I: RESPONDENT AND REQUISITION INFORMATION

a. Respondent (Company) Name: ____________________________________________
   Point of Contact: ________________________________________________
   E-mail Address: ________________________________________________

b. Is your company a State of Texas certified HUB? □ - Yes □ - No

c. Requisition #: ____________________________________________

State of Texas VID #: ____________________
Phone #: ____________________
Fax #: ____________________

Bid Open Date: (mm/dd/yyyy)
### SECTION 3: RESPONDENT'S SUBCONTRACTING INTENTIONS

After dividing the contract work into reasonable lots or portions to the extent consistent with prudent industry practices, and taking into consideration the scope of work to be performed under the proposed contract, including all potential subcontracting opportunities, the respondent must determine what portions of work, including contracted staffing, goods and services will be subcontracted. Note: In accordance with 34 TAC §20.282, a “Subcontractor” means a person who contracts with a prime contractor to work, to supply commodities, or to contribute toward completing work for a governmental entity.

a. Check the appropriate box (Yes or No) that identifies your subcontracting intentions:

- [ ] Yes, I will be subcontracting portions of the contract. (If Yes, complete Item b of this SECTION and continue to Item c of this SECTION.)
- [ ] No, I will not be subcontracting any portion of the contract, and I will be fulfilling the entire contract with my own resources, including employees, goods and services. (If No, continue to SECTION 3 and SECTION 4.)

b. List all the portions of work (subcontracting opportunities) you will subcontract. Also, based on the total value of the contract, identify the percentages of the contract you expect to award to Texas certified HUBs, and the percentage of the contract you expect to award to vendors that are not a Texas certified HUB (i.e., Non-HUB).

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Aggregate percentages of the contract expected to be subcontracted:

- HUBs: %
- Non-HUBs: %

(Note: If you have more than fifteen subcontracting opportunities, a continuation sheet is available online at [https://www.comptroller.texas.gov/purchasing/vendor/hubforms.php](https://www.comptroller.texas.gov/purchasing/vendor/hubforms.php).

c. Check the appropriate box (Yes or No) that indicates whether you will be using only Texas certified HUBs to perform all of the subcontracting opportunities you listed in SECTION 2, Item b.

- [ ] Yes (If Yes, continue to SECTION 4 and complete an “HSP Good Faith Effort - Method A” [Attachment A] for each of the subcontracting opportunities you listed.)
- [ ] No (If No, continue to Item d, of this SECTION.)

d. Check the appropriate box (Yes or No) that indicates whether the aggregate expected percentage of the contract you will subcontract with Texas certified HUBs with which you do not have a continuous contract in place with for more than five (5) years, meets or exceeds the HUB goal the contracting agency identified on page 1 in the “Agency Special Instructions/Additional Requirements.”

- [ ] Yes (If Yes, continue to SECTION 4 and complete an “HSP Good Faith Effort - Method A” [Attachment A] for each of the subcontracting opportunities you listed.)
- [ ] No (If No, continue to SECTION 4 and complete an “HSP Good Faith Effort - Method B” [Attachment B] for each of the subcontracting opportunities you listed.)

*Continuous Contract*: Any existing written agreement (including any renewals that are exercised) between a prime contractor and a HUB vendor, where the HUB vendor provides the prime contractor with goods or service under the same contract for a specified period of time. The frequency the HUB vendor is utilized or paid during the term of the contract is not relevant to whether the contract is considered continuous. Two or more contracts that run concurrently or overlap one another for different periods of time are considered by CPA to be individual contracts rather than renewals or extensions to the original contract. In such situations the prime contractor and HUB vendor are entering (have entered) into “new” contracts.
**HSP Good Faith Effort - Method A (Attachment A)**

**SECTION A-1: Subcontracting Opportunity**

Enter the item number and description of the subcontracting opportunity you listed in SECTION 2, Item b, of the completed HSP form for which you are completing the attachment.

**SECTION A-2: Subcontractor Selection**

List the subcontractor(s) you selected to perform the subcontracting opportunity you listed above in SECTION A-1. Also identify whether they are a Texas certified HUB and their Texas Vendor Identification (VID) Number or federal Employer Identification Number (EIN), the approximate dollar value of the work to be subcontracted, and the expected percentage of work to be subcontracted. When searching for Texas certified HUBs and verifying their HUB status, ensure that you use the State of Texas’ Centralized Master Bidders List (CMBL) - Historically Underutilized Business (HUB) Directory Search located at [https://finance.ein.state.tx.us/directorysearch/index.jsp](https://finance.ein.state.tx.us/directorysearch/index.jsp). HUB status code “A” signifies that the company is a Texas certified HUB.

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Texas certified HUB</th>
<th>VID or Federal ID</th>
<th>Approximate Dollar Amount</th>
<th>Expected Percentage of Contract</th>
</tr>
</thead>
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</table>

**REMINDER:** As specified in SECTION 4 of the completed HSP form, if you (respondent) are awarded any portion of the requisition, you are required to provide notice as soon as practical to all the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor. The notice must specify at a minimum the contracting agency’s name and its point of contact for the contract, the contract award number, the subcontracting opportunity they (the subcontractor) will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency’s point of contact for the contract no later than ten (10) working days after the contract is awarded.
Leave this blank if you are submitting GFE 1, GFE 2 or GFE 3! This table is only for “Self-Performing”!
HUB Subcontracting Plan (HSP) when Submitting GFE 1
HUB Subcontracting Plan (HSP)

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

NOTE: Responses that do not include a completed HSP shall be rejected pursuant to Texas 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 2009 State of Texas Disparity Study. The statewide HUB goals defined in 34 Texas Administrative Code (TAC) §20.284 are:

- 11.2 percent for heavy construction other than building contracts,
- 21.1 percent for all building construction, including general contractors and operative builders’ contracts,
- 32.9 percent for all special trade construction contracts,
- 23.7 percent for professional services contracts,
- 26.0 percent for all other services contracts, and
- 21.1 percent for commodities contracts.

--- Agency Special Instructions/Additional Requirements ---

In accordance with 34 TAC §20.285(d)(1)(D)(iii), a respondent (prime contractor) may demonstrate good faith effort to utilize Texas certified HUBs for its subcontracting opportunities if the total value of the respondent’s subcontracts with Texas certified HUBs meets or exceeds the statewide HUB goal or the agency specific HUB goal, whichever is higher. When a respondent uses this method to demonstrate good faith effort, the respondent must identify the HUBs with which it will subcontract. If using existing contracts with Texas certified HUBs to satisfy this requirement, only the aggregate percentage of the contracts expected to be subcontracted to HUBs with which the respondent does not have a continuous contract" in place for more than five (5) years shall qualify for meeting the HUB goal. This limitation is designed to encourage vendor rotation as recommended by the 2009 Texas Disparity Study.

--- SECTION I: RESPONDENT AND REQUISITION INFORMATION ---

a. Respondent (Company) Name:
   -
   -
   -
   -

b. Point of Contact:
   -

E-mail Address:
   -

State of Texas VID #:
   -

Phone #:
   -

Fax #:
   -

c. Is your company a State of Texas certified HUB? 
   - Yes
   - No

c. Requisition #: 
   -

Bid Open Date: (mm/dd/yyyy)
**SECTION 2 Respondent’s Subcontracting Intentions**

After dividing the contract work into reasonable lots or portions to the extent consistent with prudent industry practices, and taking into consideration the scope of work to be performed under the proposed contract, including all potential subcontracting opportunities, the respondent must determine what portions of work, including contracted staffing, goods and services will be subcontracted. Note: In accordance with 34 TAC §50.029, a “Subcontractor” means a person who contracts with a prime contractor to work, to supply commodities, or to contribute toward completing work for a governmental entity.

**a.** Check the appropriate box (Yes or No) that identifies your subcontracting intentions:

- **Yes**, I will be subcontracting portions of the contract. (If Yes, complete Item b of this SECTION and continue to Item c of this SECTION.)
- **No**, I will not be subcontracting any portion of the contract, and I will be fulfilling the entire contract with my own resources, including employees, goods and services. (If No, continue to SECTION 3 and SECTION 4.)

**b.** List all the portions of work (subcontracting opportunities) you will subcontract. Also, based on the total value of the contract, identify the percentages of the contract you expect to award to Texas certified HUBs, and the percentage of the contract you expect to award to vendors that are not a Texas certified HUB (i.e., Non-HUB).

<table>
<thead>
<tr>
<th>Item</th>
<th>Subcontracting Opportunity Description</th>
<th>HUBs</th>
<th>Non-HUBs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Percentage of the contract expected to be subcontracted to HUBs with which you do not have a continuous contract in place for more than five (5) years.</td>
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<tr>
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<td>Percentage of the contract expected to be subcontracted to Non-HUBs with which you have a continuous contract in place for more than five (5) years.</td>
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(Note: If you have more than fifteen subcontracting opportunities, a continuation sheet is available online at [https://www.comptroller.texas.gov/purchasing/vendorhub/forms.php](https://www.comptroller.texas.gov/purchasing/vendorhub/forms.php)

**c.** Check the appropriate box (Yes or No) that indicates whether you will be using **only** Texas certified HUBs to perform **all** of the subcontracting opportunities you listed in SECTION 2, Item b.

- **Yes** (If Yes, continue to SECTION 4 and complete an “HSP Good Faith Effort - Method A (Attachment A)” for each of the subcontracting opportunities you listed.)
- **No** (If No, continue to Item d, of this SECTION.)

**d.** Check the appropriate box (Yes or No) that indicates whether the aggregate expected percentage of the contract you will subcontract with Texas certified HUBs with which you do not have a continuous contract in place with for more than five (5) years, meets or exceeds the HUB goal the contracting agency identified on page 1 in the “Agency Special Instructions/Additional Requirements.”

- **Yes** (If Yes, continue to SECTION 4 and complete an “HSP Good Faith Effort - Method A (Attachment A)” for each of the subcontracting opportunities you listed.)
- **No** (If No, continue to SECTION 4 and complete an “HSP Good Faith Effort - Method B (Attachment B)” for each of the subcontracting opportunities you listed.)

---

*Continuous Contract:* Any existing written agreement (including any renewals that are exercised) between a prime contractor and a HUB vendor, where the HUB vendor provides the prime contractor with goods or services under the same contract for a specified period of time. The frequency the HUB vendor is utilized or paid during the term of the contract is not relevant to whether the contract is considered continuous. Two or more contracts that run concurrently or overlap one another for different periods of time are considered by CPA to be individual contracts rather than renewals or extensions to the original contract. In such situations the prime contractor and HUB vendor are entering (have entered) into “new” contracts.
HSP Good Faith Effort - Method B (Attachment B)

Enter your company's name here: ____________ Requisition #: ____________

IMPORTANT: If you responded "No" in SECTION 2, Items c and d of the completed HSP form, you must submit a completed "HSP Good Faith Effort - Method B (Attachment B)" for each of the subcontracting opportunities you listed in SECTION 2, Item b of the completed HSP form. You may photo-copy this page or download the form at https://www.comptroller.texas.gov/purchasing/docs/hub/forms/hub.sboort.plans.gle.ashx.b.pdf.

SECTION B-1: SUBCONTRACTING OPPORTUNITY

Enter the item number and description of the subcontracting opportunity you listed in SECTION 2, Item b, of the completed HSP form for which you are completing the attachment.

Item Number: ____________ Description: ____________

SECTION B-2: MENTOR PROTEGE PROGRAM

If respondent is participating as a Mentor in a State of Texas Mentor Protégé Program, submitting its Protégé (Protégé must be a State of Texas certified HUB) as a subcontractor to perform the subcontracting opportunity listed in SECTION B-1, constitutes a good faith effort to subcontract with a Texas certified HUB towards that specified portion of work.

Check the appropriate box (Yes or No) that indicates whether you will be subcontracting the portion of work you listed in SECTION B-1 to your Protégé.

☐ Yes (if Yes, continue to SECTION B-4.)
☐ No / Not Applicable (If No or Not Applicable, continue to SECTION B-3 and B-4.)

SECTION B-3: NOTIFICATION OF SUBCONTRACTING OPPORTUNITY

When completing this section you MUST comply with items b, c, and d, thereby demonstrating your Good Faith Effort of having notified Texas certified HUBs and trade organizations or development centers about the subcontracting opportunity you listed in SECTION B-1. Your notice should include the scope of work, including the location to review plans and specifications, bonding and insurance requirements, required qualifications, and identify a contact person. When sending notice of your subcontracting opportunity, you are encouraged to use the attached HUBS Subcontracting Opportunity Notice form, which is also available online at https://www.comptroller.texas.gov/purchasing/docs/hub/forms/hub.sboort.plans.gle.ashx.b.pdf.

Relate supporting documentation (i.e., certified letter, fax, e-mail) demonstrating evidence of your good faith effort to notify the Texas certified HUBs and trade organizations or development centers. Also, be mindful that a working day is considered a normal business day of a state agency, not including weekends, federal or state holidays, or days the agency is declared closed by its executive officer. The initial day the subcontracting opportunity notice is provided to the HUBs and to the trade organizations or development centers is considered to be "day zero" and does not count as one of the seven (7) working days.

a. Provide written notification of the subcontracting opportunity you listed in SECTION B-1, to three (3) or more Texas certified HUBs. Unless the contracting agency specified a different time period, you must allow the HUBs at least seven (7) working days to respond to your notice prior to submitting your bid response to the contracting agency. When searching for Texas certified HUBs and verifying their HUB status, ensure that you use the State of Texas' Centralized Master Bidders List (CMBL) - Historically Underutilized Business (HUB) Directory search located at http://www.comptroller.texas.gov/purchasing/vendor/hub/resources.php. HUB status code "A" signifies that the company is a Texas certified HUB.

b. List the three (3) Texas certified HUBs you notified regarding the subcontracting opportunity you listed in SECTION B-1. Include the company’s Texas Vendor Identification (VID) number, the date you sent notice to that company, and indicate whether it was responsive or non-responsive to your subcontracting opportunity notice.

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Texas VID (Do not enter Social Security Numbers)</th>
<th>Date Notice Sent (mm/dd/yyyy)</th>
<th>Did the HUB Respond?</th>
</tr>
</thead>
<tbody>
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<td>☐ - Yes  ☐ - No</td>
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</tbody>
</table>

Note: If the company was non-responsive, you must provide your subcontracting opportunity notice to trade organizations or development centers at least seven (7) working days prior to submitting your bid response to the contracting agency. A list of trade organizations and development centers that have expressed an interest in receiving notices of subcontracting opportunities is available on the Statewide HUB Program's webpage at https://www.comptroller.texas.gov/purchasing/vendor/hub/resources.php.

c. Provide written notification of the subcontracting opportunity you listed in SECTION B-1 to two (2) or more trade organizations or development centers in Texas to assist in identifying potential HUBs by disseminating the subcontracting opportunity to their members/participants. Unless the contracting agency specified a different time period, you must provide your subcontracting opportunity notice to trade organizations or development centers at least seven (7) working days prior to submitting your bid response to the contracting agency. A list of trade organizations and development centers that have expressed an interest in receiving notices of subcontracting opportunities is available on the Statewide HUB Program's webpage at https://www.comptroller.texas.gov/purchasing/vendor/hub/resources.php.

d. List the two (2) trade organizations or development centers you notified regarding the subcontracting opportunity you listed in SECTION B-1. Include the date when you sent notice to it and indicate if it accepted or rejected your notice.

<table>
<thead>
<tr>
<th>Trade Organizations or Development Centers</th>
<th>Date Notice Sent (mm/dd/yyyy)</th>
<th>Was the Notice Accepted?</th>
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<tbody>
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</table>
Recommended – Not Mandatory to use this form!

HUB Subcontracting Opportunity Notification Form

In accordance with Texas Gov’t Code, Chapter 2161, each state agency that considers entering into a contract with an expected value of $100,000 or more shall, before the agency solicits bids, proposals, offers, or other applicable expressions of interest, determine whether subcontracting opportunities are probable under the contract. The state agency will have determined that subcontracting opportunities are probable if it determines to which company the minimum will be responding.

34 Texas Administrative Code, §20.285 requires all respondents (prime contractors) bidding on the contract to provide notice of each of their subcontracting opportunities to at least three (3) Texas certified HUBs (who work within the respective industry applicable to the subcontracting opportunity), and allow them to respond to the notice prior to the respondent submitting its bid response to the contracting agency. In addition, 34 Texas Administrative Code, §20.282(19)(C) requires the HUBs at least seven (7) working days to respond to the notice prior to the respondent submitting its bid response to the contracting agency. In addition, all HUBs at least seven (7) working days prior to submitting their bid response to the contracting agency, the respondent must provide notice of each of its subcontracting opportunities to two (2) or more trade organizations or development centers in Texas that serves members of groups (i.e., Asian Pacific American, Black American, Hispanic American, American Indian, Service Disabled Veteran) identified in Texas Administrative Code, §20.282(19)(C).

We respectfully request that vendors interested in bidding on the subcontracting opportunity scope of work identified in Section C, Item 2, reply no later than the date and time identified in Section C, Item 1. Submit your response to the point-of-contact referenced in Section A.

SECTION A: PRIME CONTRACTOR’S INFORMATION

| Company Name: | State of Texas VID #: |
| Point-of-Contact: | Phone #: |
| E-mail Address: | Fax #: |

SECTION B: CONTRACTING STATE AGENCY AND REQUISITION INFORMATION

| Agency Name: | Phone #: |
| Point-of-Contact: | |
| Requisition #: | Bid Open Date: |

SECTION C: SUBCONTRACTING OPPORTUNITY RESPONSE DUE DATE, DESCRIPTION, REQUIREMENTS AND RELATED INFORMATION

1. Potential Subcontractor’s Bid Response Due Date:
   - If you would like for our company to consider your company’s bid for the subcontracting opportunity identified below in item 2, you must receive your bid response no later than [Central Time] [Date (mm/dd/yyyy)]

In accordance with 34 TAC §20.285, each notice of subcontracting opportunity shall be provided to at least three (3) Texas certified HUBs, and allow the HUBs at least seven (7) working days to respond to the notice prior to submitting our bid response to the contracting agency. In addition, 34 Texas Administrative Code, §20.282(19)(C) requires the HUBs at least seven (7) working days to respond to the notice prior to submitting our bid response to the contracting agency. In addition, 34 Texas Administrative Code, §20.282(19)(C) requires the HUBs at least seven (7) working days to respond to the notice prior to submitting our bid response to the contracting agency.

2. Subcontracting Opportunity Scope of Work:

3. Required Qualifications:
   - [ ] - Not Applicable

4. Bonding/Insurance Requirements:
   - [ ] - Not Applicable

5. Location to review plans/specifications:
   - [ ] - Not Applicable
**HSP Good Faith Effort - Method B (Attachment B) Cont.**

**SECTION B-4: Subcontractor Selection**

Enter the item number and description of the subcontracting opportunity you listed in SECTION 2, item b, of the completed HSP form for which you are completing this attachment.

**a.** Enter the item number and description of the subcontracting opportunity for which you are completing this Attachment B continuation page.

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Description</th>
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<tbody>
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</table>

**b.** List the subcontractor(s) you selected to perform the subcontracting opportunity you listed in SECTION B-1. Also identify whether they are a Texas certified HUB and their Texas Vendor Identification (VID) Number or federal Employer Identification Number (EIN), the approximate dollar value of the work to be subcontracted, and the expected percentage of work to be subcontracted. When searching for Texas certified HUBs and verifying their HUB status, ensure that you use the State of Texas’ Centralized Master Bidders List (CML) - Historically Underutilized Business (HUB) Directory Search located at [http://mygpa.cpa.state.tx.us/peassearch/index.jsp](http://mygpa.cpa.state.tx.us/peassearch/index.jsp). HUB status code "A" signifies that the company is a Texas certified HUB.

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Texas certified HUB</th>
<th>Texas VID or federal EIN</th>
<th>Approximate Dollar Amount</th>
<th>Expected Percentage of Contract</th>
</tr>
</thead>
<tbody>
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**c.** If any of the subcontractors you have selected to perform the subcontracting opportunity you listed in SECTION B-1 is **not** a Texas certified HUB, provide written justification for your selection process (attach additional page if necessary).

**REMINDER:** As specified in SECTION 4 of the completed HSP form, if you (respondent) are awarded any portion of the regulation, you are required to provide notice as soon as practical to all the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor. The notice must specify at a minimum the contracting agency’s name and its point of contact for the contract, the contract award number, the subcontracting opportunity if the subcontractor will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency’s point of contact for the contract no later than ten (10) working days after the contract is awarded.
SECTION 3: SELF PERFORMING JUSTIFICATION

(If you responded “No” to SECTION 2, Item a, you must complete this SECTION and continue to SECTION 4.) If you responded “No” to SECTION 2, Item a, in the space provided below explain how your company will perform the entire contract with its own employees, supplies, materials and/or equipment.

Leave this blank if you are submitted GFE 1, GFE 2 or GFE 3! This table is only for “Self-Performing”!

SECTION 4: 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 is true and correct. Respondent understands and agrees that, if awarded any portion of the requisition:

- The respondent will provide notice as soon as practical to all the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor for the awarded contract. The notice must specify at a minimum the contracting agency’s name and its point of contact for the contract, the contract award number, the subcontracting opportunity they (the subcontractor) will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency’s point of contact for the contract no later than ten (10) working days after the contract is awarded.

- The respondent must submit monthly compliance reports (Prime Contractor Progress Assessment Report – PAR) to the contracting agency, verifying its compliance with the HSP, including the use of and expenditures made to its subcontractors (HUBs and Non-HUBs) (The PAR is available at https://www.comptroller.texas.gov/purchasing/docs/hub-forms/ProgressAssessmentReportForm.xlsp).

- The respondent must seek approval from the contracting agency prior to making any modifications to its HSP, including the hiring of additional or different subcontractors and the termination of a subcontractor the respondent identified in its HSP. If the HSP is modified without the contracting agency’s prior approval, respondent may be subject to any and all enforcement remedies available under the contract or otherwise available by law, up to and including debarment from all state contracting.

- 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 being performed and must provide documentation regarding staffing and other resources.

Reminder:

➤ If you responded “Yes” to SECTION 2, Items c or d, you must complete an “HSP Good Faith Effort - Method A (Attachment A)” for each of the subcontracting opportunities you listed in SECTION 2, Item b.

➤ If you responded “No” SECTION 2, Items c and d, you must complete an “HSP Good Faith Effort - Method B (Attachment B)” for each of the subcontracting opportunities you listed in SECTION 3, Item b.
Reminder!!

GFE 1= HSP PLAN - ATTACHMENT B

Solicit via email (per each Subcontracting Opportunity):
- including contracted staffing, goods and services will be subcontracted

- A minimum of 3 active HUBs
- A minimum of 2 Minority Woman/Trade Organizations
- Allow 7 working days for their response (ensure a deadline for their response is provided in the solicitation email)
- Provide all submitted documentation and active HUBs CMBL profiles with your bid
**Mentor – Protégé (M-P) Program**

**TAC 20.298:** Voluntary program intended to foster long term relationships between contractors and HUBs to provide professional guidance and support to facilitate their development and growth

**M-P Program Advantages**

Utilizing protégé in HSP for a bid of any state agencies and/or universities for subcontracting counts as your good faith effort requirement and does not require contractor to perform additional solicitation for subcontracting protégé is providing

Your company is listed in the M-P Agreement database on CPA’s website for state agencies and universities to utilize
Important Info

- **How to search for vendors?** Search the CMBL (HUB vendors database) - Instructions are included in solicitation
- **How to Network?** CPA/TPASS “Calendar of Events” and network today after our pre-solicitation
- **Key Personnel** – Ensure all key personnel (Subcontractor Company) is listed in your Key Personnel tab
- **HSP Amendments** – As stated in the solicitation, all Non-HSP vendors must be amended prior to utilization
- **HSP Amendments** – As stated in the solicitation, all Non-HSP vendors must be amended prior to utilization
Questions

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