



The University of  
Texas System

HUB Office  
512-499-4530  
[www.utsystem.edu/hub](http://www.utsystem.edu/hub)

## Exhibit H – Policy on Utilization Historically Underutilized Businesses

HUB Subcontracting Plan for:

- Construction Manager at Risk (CMR)

OCP Managed Projects Only

Revision dated July 11, 2024



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\* **Note 1:** *If awarded a contract, the Prime Contractor Progress Assessment Report (PAR) is a required form with each payment application submitted. This form is a condition of payment.*

\*\* **Note 2:** *The UT System Contract Management System Subcontractor Report should be attached to the Prime Contractor Assessment Report (PAR) after subcontractor payments are entered into the UT System Contract Management System.*

For questions or clarifications regarding the HUB Subcontracting Plan, please contact the appropriate HUB Coordinator listed below:

### **UT Dallas, UT Tyler**

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Associate Director  
512-499-4378  
[spark@utsystem.edu](mailto:spark@utsystem.edu)

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Cynthia Booker  
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**The University of Texas System**  
**Office of HUB Programs**

**POLICY ON UTILIZATION OF  
HISTORICALLY UNDERUTILIZED BUSINESSES (HUBs)**

**Introduction**

In accordance with the Texas Government Code, Sections 2161.181-182 and Title 34, Rule 20.281 of the Texas Administrative Code (TAC), The Board of Regents of the University of Texas System, acting through the Office of HUB Programs 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. The HUB Rules promulgated by the Texas Comptroller of Public Accounts (the "Texas Comptroller"), set forth in 34 TAC Rules 20.281-20.298, encourage 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 UT System specific or statewide HUB goals as specified in TAC Rule 20.284:

- **11.2% for heavy construction other than building contracts.**
- **21.1% for all building construction, including general contractors and operative builder's contracts.**
- **32.9% for all special trade construction contracts.**
- **23.7% for professional services contracts.**
- **26% for all other services contracts.**
- **21.1% for commodities contracts.**

The University of Texas System shall make a good faith effort to meet or exceed these goals and/or UT System specific goals to assist HUBs in receiving a portion of the total contract value of all contracts that U. T. System expects to award in a fiscal year. The University of Texas System may achieve the annual program goals by contracting directly with HUBs or indirectly through subcontracting opportunities in accordance with the Texas Government Code, Chapter 2161, Subchapter F.

**UT System Administration**  
**Historically Underutilized Subcontracting Plans (HSP)**  
**Construction Manager @ Risk (CMR)-21.1%**

All Texas State agencies and institutions of higher education (universities) are required to make a good faith effort to include minority and/or women owned businesses in their procurement opportunities. The State of Texas uses the term Historically Underutilized Businesses (HUB) to distinguish State certified minority and/or women owned businesses.

**Statement of Probability** - The Office of Capital Projects (OCP) has adopted Exhibit H, Policy on Utilization of Historically Underutilized Businesses (See attached). The Policy applies to all contracts with an expected value of \$100,000 or more. If OCP determines that subcontracting opportunities are probable, then a HUB Subcontracting Plan is a required element of the Qualifications. Failure to submit a required HUB Subcontracting Plan will result in rejection of the Qualifications. The Office of Capital Projects has determined that subcontracting opportunities are probable in connection with this solicitation.

**Construction Manager@Risk delivery method is a two(2) part process.**

Pre-construction Services – Use Part 1 Instructions below for pre-con services.

Building Construction – The awarded General Contractor will complete part 2 for subcontractor solicitation

## **Part One - Pre-construction Services**

**Option 1** – Complete a **Self-Performing HSP** as follows:

- a) Section 1 – Respondent and Requisition Information. Complete as indicated on the form. VID number refers to the tax ID number.
- b) Section 2A – No, I will not be subcontracting any portion of the contract, and will be fulfilling the entire contract with my own resources.
- c) Section 3 – Self Performing Justification – Provide explanation in box \*\*
- d) Section 4 – Affirmation – Signature required

\*\*Section 3 Sample Statement- edit as needed

\_\_\_\_\_ will be fulfilling the entire contract with our own resources, including employees, goods, services, transportation and delivery. If sub-contracting opportunities are identified at a future date, we will immediately contact the project manager and HUB Coordinator and commit to performance of a Good Faith Effort through solicitation of HUB firms and submit an amended HUB Subcontracting Plan.

**Option 2** – Complete the following if **all sub-contracting opportunities are to be performed by ONLY** state of Texas certified HUB vendors.

- a) Section 1 – Respondent and Requisition information. VID number refers to Tax ID number.
- b) Section 2A – Yes, I will be subcontracting portions of the contract
- c) Section 2B – List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to HUB vendors
- d) Section 2C – Yes
- e) Section 4 – Affirmation – Signature required
- f) Good Faith Effort (Attachment A) – Complete this attachment for each subcontracting opportunity listed in Section 2B

**Option 3** – Complete the following if **sub-contracting opportunities** by both HUB and non-HUB vendors **meet or exceed the HUB Goal**.

- a) Section 1 – Respondent and Requisition information. VID number refers to Tax ID number.
- b) Section 2A – Yes, I will be subcontracting portions of the contract
- c) Section 2B – List all portions of work you will subcontract, and indicate the percentage of the contract you expect to award to HUB vendors and Non HUB vendors
- d) Section 2C – No
- e) Section 2D – Yes
- f) Section 4 – Affirmation
- g) Good Faith Effort (Attachment A) – Complete this attachment for each subcontracting opportunity listed in Section 2B.

**Option 4** – If you are subcontracting with HUB vendors and Non-HUB vendors (or only Non-HUB vendors), and the

total percentage subcontracting with HUB vendors **does not meet or exceed the HUB Goal**, complete the following:

- a) Section 1 - Respondent and Requisition Information. VID number refers to Tax ID number
- b) Section 2A – Yes, I will be subcontracting portions of the contract
- c) Section 2B – List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to HUB vendors and Non HUB vendors
- d) Section 2C – No
- e) Section 2D – No
- f) Section 4 – Affirmation
- g) Good Faith Effort (Attachment B) – Complete this attachment for each subcontracting opportunity listed in Section 2B.

**\*\*NOTE: The signed and dated B2G Addendum MUST be submitted with the HSP\*\***

## **Part 2 - Building Construction ONLY (for awarded General Contractor)**

### **Follow the instructions below when you are soliciting subcontractors:**

1. **Section 1** – Respondent and Requisition Information. VID # refers to Tax ID number. Requisition is the project number.
2. **Section 2A** – Yes, I will be subcontracting portions of the contract.
3. **Section 2B** – List all the portions of work you will subcontract and indicate the percentage of the contract you expect to award to HUB vendors and non-HUB vendors.
4. **Section 2C** – No
5. **Section 2D** – No
6. **Section 4**-Affirmation
7. **Attachment B, page 1-Good Faith Effort**-Complete and attach your Good Faith Effort documentation including one copy of the invitation to bid (ITB) and an excel spreadsheet listing all subcontractors contacted about the opportunity. **Note: Submit one Attachment B page 1, for each scope of work.**

### **Follow these instructions when subcontractor selections are made:**

**Attachment B, page 2**-Name the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> tier subcontractors for each scope of work and attach the scoring matrix and HUB certification document. **Note: Submit one Attachment B page 2, for each scope of work**

After buyout is complete, submit the Letter of Transmittal reflecting the current HUB participation.

### **Determination of Good Faith Effort in developing an HSP for awarded CMR includes but is not limited to the following:**

1. Divide the work into reasonable lots or portions to the extent consistent with prudent industry practices.
2. Provide notice a minimum of two (2) minority/ women trade organizations or development centers of sub-consulting opportunities to be disseminated to their membership. The notice shall include: Scope of work; required qualifications; and identify a contact person (including phone number and email address). Notify the minority/women organizations of contracting opportunities with reasonable time to disseminate information to members/participants (no less than **seven (7)** working days from receipt of notice). Weekends and holidays do not count toward the 7 day notice. Link: <https://comptroller.texas.gov/purchasing/vendor/hub/resources.php>
3. Notify three (3) or more HUBs of for each discipline that is to be subcontracted in writing. The notice shall include: Scope of work; required qualifications; and identify a contact person (including phone number and email address). Notify the HUBs of contracting opportunities with reasonable time to respond (**no less than seven (7)** working days from receipt of notice). Weekends and holidays do not count toward the 7 day notice.
4. Provide written justification of the selection process if the selected sub-contractor is not a HUB.
5. The respondent shall use the Centralized Master Bidders List (CMBL), HUB Directory, Internet and other directories as identified by the agency when searching for HUB sub-contractors. The Centralized Master Bidders List (CMBL) can be found at: <https://mycpa.cpa.state.tx.us/tpasscmlbsearch/tpasscmlbsearch.do>. The respondent must keep and provide if requested official written documentation (i.e. electronic mail, written correspondence, etc.) to demonstrate compliance.

### **Bid Notification** – should include:

- The scope of work and the trades that will be subcontracted.
- Identify a physical location to review plans/specifications.
- Provide information about bonding and insurance requirements.
- Identify a contact person, phone number, email, etc.

### **Notification to Awarded Subcontractors**

The successful respondent will provide notice as soon as practical to **all** 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, point of contact for the contract, contract award number, scope of work to be performed, approximate dollar value of the scope, and expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice must be provided to the HUB Coordinator for the contract no later than ten (10) working days after the contract is awarded.

### **Changes to the Plan**

Once the HUB Plan has been submitted any changes to the HSP must be approved in writing by UT System OCP Project Manager and HUB Coordinator **prior** to any work commencing by the new subcontractor. Once the contract has been awarded the HSP is considered part of the contract. Violations to the HSP may be deemed a breach of contract by UT System.

### **Reporting – After Award**

Prime contractor payment requests shall include: the University of Texas Contract Management System Report (UTCMS) attached to the State of Texas Prime Contractor Progress Assessment Report (PAR) identifying all 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> tier subcontractor payments. **It is a condition of payment to report HUB subcontracting expenditures.** Training will be provided to the prime for UTCMS at no cost.

**Exhibit H documents:** <https://www.utsystem.edu/offices/historically-underutilized-business/hub-forms/hub-plan-templates-ocp-projects>

Regional HUB Coordinator  
Office of HUB Programs  
The University of Texas System  
210 W. 7<sup>th</sup> Street  
Austin, TX 78701

RE: Historically Underutilized Business Plan for (Project Title): \_\_\_\_\_  
Project Number: \_\_\_\_\_

Dear

I have read and understand The University of Texas System Policy on Utilization of Historically Underutilized Businesses (HUBs). In accordance with the requirements outlined in the HUB Subcontracting Plan (HSP), I am pleased to forward this HUB Subcontracting Plan as an integral part of our proposal in connection with your invitation for request for qualifications/proposals, referencing Project Number . \_\_\_\_\_

The Good Faith Effort will be documented by a two- part HUB Subcontracting Plan (HSP) process. **Part One (1)** of the HSP submission will reflect self-performance with the appropriate sections completed as outlined in the HSP Instruction sheet located on page 3 of The University of Texas System Exhibit H Policy on Utilization of Historically Underutilized Businesses. Preconstruction Services may also be subcontracted. Part TWO (2) will apply in this case. Please see instructions on page 3 for HSP completion in this scenario.

As the scope of work/project is defined under the terms of this contract, Part Two (2) of the process will require a revised HUB Subcontracting Plan. The Good Faith Effort will be documented per instructions in EXHIBIT H - Policy on Utilization Historically Underutilized Businesses, pages 3-4. The revised HUB Subcontracting Plan will be submitted to the HUB Coordinator per bid package as project scopes are bought out. A Progress Assessment Report (PAR) is required as a condition of payment with each monthly billing in conjunction with this contract amendment.

All OCP managed projects are subject to compliance tracking and the Prime Contractor is required to use the B2GNow Compliance Reporting System. The Prime Contractor agrees to advise ALL subcontractors in writing of the requirement to submit all payment information for 2nd and 3rd tier subcontractors to the Prime Contractor who will post electronically payments in the B2GNow Compliance Reporting System.

Sincerely,

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(print name)

Project Administrator

Regional HUB Coordinator  
 The University of Texas System  
 Office of HUB Programs  
 210 W. 7<sup>th</sup> Street  
 Austin, Texas 78701

RE: Historically Underutilized Business Plan for (Project Title): \_\_\_\_\_

Project Number: \_\_\_\_\_ - \_\_\_\_\_

Dear

I have read and understand The University of Texas System Policy on Utilization of Historically Underutilized Businesses(HUBs). I also understand the State of Texas Annual Procurement Goal according to 34 Texas Administrative Code Section 20.284, and the goal as stated in the Agency Special Instructions section of the HUB Subcontracting Plan, page 7.

This letter serves as a summary of our current HUB participation effort after buyout is complete. I understand the HUB percentages must represent Texas Comptroller HUB certification standards. For each HUB firm previously submitted, I have attached a Texas Comptroller HUB Certification document.

<b>Subcontractors</b>	<b>No. of Subcontractors</b>	<b>Total Subcontract \$ Value</b>	<b>Total Estimated Subcontracting</b>	<b>% Minority Owned</b>	<b>% Woman Owned</b>	<b>% Service Disabled Veteran</b>
HUB			%	%	%	%
NON-HUB			%			
TOTAL			%			

As this project progresses and we discover additional subcontractors claiming Historically Underutilized Business status or if for some reason a HUB is unable to fulfill its contractual obligation with us, we will notify you immediately to take the appropriate steps to amend this HUB subcontracting Plan.

We agree to use the required method of compliance reporting, B2GNow Compliance Reporting System. The Prime Contractor agrees to advise ALL subcontractors in writing of the requirement to submit all payment information for 2nd and 3rd tier subcontractors to the Prime Contractor who will electronically post those payments monthly in the B2GNow Compliance Reporting System.

Sincerely,

\_\_\_\_\_  
 (signature)

\_\_\_\_\_  
 (print name)



# 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.*

In accordance with 34 TAC §20.13(d)(1)(D)(iii), the goals below are the applicable goals for **The University of Texas System Administration only** effective January 1, 2018.

## Building Construction – 21.1% See pages 3-4 for HSP completion instructions

- Respondents shall submit a completed HUB Subcontracting Plan (HSP) to be considered responsive. Failure to submit a completed HSP shall result in the bid, proposal or other expression of interest to be considered Non-responsive.
- Prime Contractor Progress Assessment Report (PAR) shall be submitted with each request for payment as a condition of payment. A copy of the UT System Contract Management System (UTCMS) Compliance Report shall be attached to the State of Texas HUB PAR and shall be submitted with each request for payment as a condition of payment.
- Please note that phone logs are no longer acceptable documentation of Good Faith Effort. Only fax, email and certified letter are acceptable.

### SECTION 1: RESPONDENT AND REQUISITION INFORMATION

a. Respondent (Company) Name: \_\_\_\_\_ State of Texas VID #: \_\_\_\_\_  
 Point of Contact: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_ Fax #: \_\_\_\_\_

b. 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 §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).

Item #	Subcontracting Opportunity Description	HUBs		Non-HUBs
		Percentage of the contract expected to be subcontracted to HUBs with which you <b>do not</b> have a <b>continuous contract*</b> in place for <b>more than five (5) years</b> .	Percentage of the contract expected to be subcontracted to HUBs with which you have a <b>continuous contract*</b> in place for <b>more than five (5) years</b> .	Percentage of the contract expected to be subcontracted to non-HUBs.
1		%	%	%
2		%	%	%
3		%	%	%
4		%	%	%
5		%	%	%
6		%	%	%
7		%	%	%
8		%	%	%
9		%	%	%
10		%	%	%
11		%	%	%
12		%	%	%
13		%	%	%
14		%	%	%
15		%	%	%
<b>Aggregate percentages of the contract expected to be subcontracted:</b>		%	%	%

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

Enter your company's name here: \_\_\_\_\_

Requisition #: \_\_\_\_\_

**SECTION 2: RESPONDENT'S SUBCONTRACTING INTENTIONS (CONTINUATION SHEET)**

This page can be used as a continuation sheet to the HSP Form's page 2, Section 2, Item b. Continue listing 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).

Item #	Subcontracting Opportunity Description	HUBs		Non-HUBs
		Percentage of the contract expected to be subcontracted to HUBs with which you <b>do not</b> have a <b>continuous contract*</b> in place for <b>more than five (5) years.</b>	Percentage of the contract expected to be subcontracted to HUBs with which you have a <b>continuous contract*</b> in place for <b>more than five (5) years.</b>	Percentage of the contract expected to be subcontracted to non-HUBs.
16		%	%	%
17		%	%	%
18		%	%	%
19		%	%	%
20		%	%	%
21		%	%	%
22		%	%	%
23		%	%	%
24		%	%	%
25		%	%	%
26		%	%	%
27		%	%	%
28		%	%	%
29		%	%	%
30		%	%	%
31		%	%	%
32		%	%	%
33		%	%	%
34		%	%	%
35		%	%	%
36		%	%	%
37		%	%	%
38		%	%	%
39		%	%	%
40		%	%	%
41		%	%	%
42		%	%	%
43		%	%	%
Aggregate percentages of the contract expected to be subcontracted:		%	%	%

**\*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.

Enter your company's name here: \_\_\_\_\_

Requisition #: \_\_\_\_\_

**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.

[Large empty rectangular box for providing justification]

**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/vendor/hub/forms.php>).
- 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.

Signature	Printed Name	Title	Date (mm/dd/yyyy)
_____	_____	_____	_____
	email address	Phone Number	

**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 2, Item b.

# HSP Good Faith Effort - Method A (Attachment A)

Enter your company's name here: \_\_\_\_\_ Requisition #: \_\_\_\_\_

**IMPORTANT:** If you responded "Yes" to SECTION 2, Items c or d of the completed HSP form, you must submit a completed "HSP Good Faith Effort - Method A (Attachment A)" 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 format <https://www.comptroller.texas.gov/purchasing/vendor/hub/forms.php>

## 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.

Item Number: \_\_\_\_\_ Description: \_\_\_\_\_

## 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://mycpa.cpa.state.tx.us/tpasscmbsearch/tpasscmbsearch.do>. HUB status code "A" signifies that the company is a Texas certified HUB.

Company Name	Texas certified HUB	Texas VID or federal EIN <small>Do not enter Social Security Numbers. If you do not know their VID / EIN, leave their VID / EIN field blank.</small>	Approximate Dollar Amount	Expected Percentage of Contract
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%
	- Yes - No		\$	%

**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.

# HSP Good Faith Effort - Method B (Attachment B)

Enter your company's name here: \_\_\_\_\_ Requisition #: \_\_\_\_\_

**IMPORTANT:** If you responded “No” to 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/vendor/hub/forms.php>

## 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 PROTÉGÉ 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 specific 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 SECTIONB-4.)
- No / Not Applicable (If No or Not Applicable, continue to SECTION B-3 and SECTIONB-4.)

## SECTION B-3: NOTIFICATION OF SUBCONTRACTING OPPORTUNITY

When completing this section you **MUST** comply with items **a, 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, information regarding 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 HUB Subcontracting Opportunity Notice form, which is also available online at <https://www.comptroller.texas.gov/purchasing/vendor/hub/forms.php>

Retain 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. **Neither the day on which the notice is sent nor the day on which the respondent submits its response count as one of the required seven 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 the notice prior to you 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 <https://mycpa.cpa.state.tx.us/tpasscmbsearch/tpasscmbsearch.do>. 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.

Company Name	Texas VID <small>(Do not enter Social Security Numbers.)</small>	Date Notice Sent <small>(mm/dd/yyyy)</small>	Did the HUB Respond?
			- Yes    - No
			- Yes    - No
			- Yes    - No

- 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 **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.

Trade Organizations or Development Centers	Date Notice Sent <small>(mm/dd/yyyy)</small>	Was the Notice Accepted?
		- Yes    - No
		- Yes    - No

# HSP Good Faith Effort - Method B (Attachment B) Cont.

Enter your company's name here: _____	Requisition #: _____
---------------------------------------	----------------------

## 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 the attachment.

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

Item Number: \_\_\_\_\_ Description: \_\_\_\_\_

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 (CMBL) - Historically Underutilized Business (HUB) Directory Search located at <https://mycpa.cpa.state.tx.us/tpasscmlsearch/tpasscmlsearch.do>. HUB status code "A" signifies that the company is a Texas certified HUB.

Company Name	Texas certified HUB	Texas VID or federal EIN <small>Do not enter Social Security Numbers. If you do not know their VID / EIN, leave their VID / EIN field blank.</small>	Approximate Dollar Amount	Expected Percentage of Contract
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%

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 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 it (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.

## B2G Addendum

### B2GNOW COMPLIANCE REPORTING SYSTEM

As part of the UT System HUB Office commitment to assist prime contractors to conveniently comply with legal and contractual requirements, the University of Texas System HUB Office maintains an online electronic Contract Compliance System known as the B2GNow Compliance Reporting System.

All OCP managed projects are subject to compliance tracking and the Prime Contractor is **required** to use the B2GNow Compliance Reporting System to submit contact information, enter beginning contract amounts and update contract amounts monthly as needed, post project payment information including, but not limited to, monthly payments and progress reports for all subconsultants, (1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> tier) and all subcontractors (1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> tier). The prime contractor is also responsible for entering monthly progress payment reports and other information related to HUB participation. The UT System HUB Office may require additional information related to the project to be provided electronically through the system at any time before, during, or after the project award.

The Prime Contractor agrees to advise **ALL** subcontractors in writing of the requirement to submit all payment information for 2<sup>nd</sup> and 3<sup>rd</sup> tier subcontractors to the prime contractor who will post those payments in the B2GNow Compliance Reporting System electronically. The Prime Contractor further agrees and understands it is their responsibility to ensure all subcontractors have reported all payment information and cleared any discrepancies monthly.

Prime Contractor agrees to advise **ALL** subcontractors in writing of their obligation to provide current contact information to the Prime Contractor. It is understood that the subcontractors will be confirming payments added to B2G therefore, the Prime Contractor understands that its contact information and that of its subcontractors must remain accurate and up to date in the B2GNow Reporting System. The Prime Contractor agrees to timely notify the UT System HUB Office of any changes to its contact information or that of a subcontractor. From time to time, the UT System HUB Office may require additional information from the Prime Contractor and/or its subcontractors and Prime Contractor agrees that it will provide such information, within five (5) business days via email to the UT System HUB Coordinator. The Prime Contractor understands its obligations hereunder continue through project closeout.

At project close-out, the prime contractor agrees to provide a final HSP that will match the contract amounts in B2G. The Prime Contractor also agrees that the total paid to subcontractor will match the contract amount in B2G and the HSP.

Information concerning access to the B2GNow Reporting System will be provided to the Prime Contractor by the UT System HUB Office. The B2GNow Reporting System is web-based and can be accessed at the following Internet address:  
<https://utsystem.diversitycompliance.com/?TN=utsystem>.

The Prime Contractor shall contact the assigned UT System HUB Coordinator to register for training and support for the B2GNow Reporting System. Below is a list of HUB Coordinators and the OCP campuses they cover.

**Stephanie Park**

Associate Director-HUB Program  
OCP Capital Construction  
UT Dallas, UT Tyler  
512-499-4378  
spark@utsystem.edu

**Cynthia Booker**

HUB Coordinator  
OCP Capital Construction  
UT Rio Grande Valley,  
UT Stephen F Austin  
512-322-3779  
cbooker@utsystem.edu

**Kyle Hayes**

HUB Coordinator  
OCP Capital Construction  
UT El Paso, UT Permian Basin  
512-322-3745  
Khayes@utsystem.edu

**ADDITIONAL PROJECT REQUIREMENTS**

The prime contractor agrees to the following:

1. Host at a minimum three (3) HUB outreach events (not including pre-bid meetings).
2. Contact a minimum of (3) local women and minority associations regarding other options of promoting the project to the HUB community, (i.e., outreach events, lunch and learn presentations, etc.).
3. Keep all written correspondence with subcontractors regarding the project.
4. Host a Subcontractor Training Class, (2 days from 4-7 for 2 weeks”) if project CCL is \$50M or more. Work with HUB Coordinator on the agenda for the HUB Subcontractor Training and provide speakers from the GC project team.
5. Performing a Good Faith Effort (GFE) for each scope of work as defined in the instructions on “How to Complete the HSP”, attached in this document.
6. Contractor Project team should attend On-Board meeting and B2G training.
7. GC will add ALL subcontractors (both HUB and non-HUB) to the B2G database for the project.
8. Enter subcontractor payments both HUB (1st, 2nd and 3rd tier) and non-HUB in the B2G system.
9. Maintain and monitor subcontractor contract amounts and payments throughout the project.
10. At project close-out, provide the final HSP that matches B2G, and total payments made to the subcontractor.
11. Adhere to the HSP Process (Addendum B) included in this package.

Please acknowledge that you have read and understand this Addendum.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date







# Prime Contractor Progress Assessment Report (PAR)

***Note: The General Contractor is responsible for reporting all expenditures on a monthly basis. This is a State of Texas requirement for all contracts exceeding \$100,000.***

## Monthly Reporting requirements– After Award

Prime Contractor payment requests shall include:

- 1) State of Texas Prime Contractor Progress Assessment Report (PAR) - see pg. 15
- 2) University of Texas Contract Management System Report (UTCMS). This report must identify all 1st, 2nd, and 3rd tier subcontractor payments. - see pg. 16 for example

***\*\*These two documents must be submitted with payment application/ invoice before Prime Contractor will be paid.\*\****

Training on UTCMS will be provided to the Prime at no cost, and will be addressed during On-boarding meeting.

**\*\*See page 15 for PAR Form completion instructions\*\***



# UT System Contract Management System Subcontractor Report

## Compliance Audit: April 2014

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**123-Training: Bridge Construction Project**  
 Prime: **Prime Contracting, Inc.**

Status: **Open**  
 4/12/2012 - 4/12/2015  
 Current Value: **\$53,520,000**

Listed are subcontractors assigned to this contract. Click the links to the right of the vendor's name to submit or edit a response. You must submit data on each subcontractor to complete the audit.

### Audit Information

Audit Response Status	<b>Complete</b>
Audit Period	<b>April 2014</b>
Payment to Prime	<b>\$40,000.00</b>
Marked As Final Audit?	<b>No</b> ( <a href="#">mark audit as final</a> )

### Audit Summary- Total Contract Through TODAY (8/4/2014)

	Award	Award Payments Percent	Payments Percent	Difference (Payments - Award)
Prime Contract	<b>\$53,520,000.00</b>		<b>26.200%</b>	
For Credit	<b>\$8,028,000.00</b>	<b>15.000%</b>	<b>\$1,305,000.00</b>	<b>9.699% below goal</b>
For Credit to CSB Goal	<b>\$5,352,000.00</b>	<b>10.000%</b>	<b>\$1,500.00</b>	<b>9.954% below goal</b>
For Credit to FBE Goal	<b>\$0.00</b>	<b>0.000%</b>	<b>\$0.00</b>	<b>Goal matched</b>
For Credit to MBE Goal	<b>\$2,676,000.00</b>	<b>5.000%</b>	<b>\$171,550.00</b>	<b>0.255% above goal</b>
For Credit to Section 3 Goal	<b>\$0.00</b>	<b>0.000%</b>	<b>\$0.00</b>	<b>Goal matched</b>
Contract Progress	<b>6.1%</b>			
For Credit Progress	<b>2.2%</b>			

Award values may not match due to differences between overall contract goal and subcontractor assignments.

### Subcontractor Payments for April 2014

Subcontractor	Certified	Type	Inc. in Goal	Actions	Paid Amount in April 2014	Confirmed by Sub	Total To April 2014	Contract Goal	Actual Percent
<b>1</b> <a href="#">Sub Flooring, LLC</a> Martha Valenzuela <a href="mailto:miv@b2gnow.com">miv@b2gnow.com</a> P 480-238-6829, F 480-238-6829	<a href="#">No</a>	Sub	No CSB	<a href="#">View Edit</a>	\$800.00		\$181,100.00	0.065%	5.548%
<b>1</b> <a href="#">Sub Trucking Company</a> Sue Framing <a href="mailto:subframing@b2gnow.com">subframing@b2gnow.com</a> P 602-325-9277, F 602-325-9666	<a href="#">No</a>	Sub 100%		<a href="#">View Edit</a>	\$1,100.00	Pending	\$168,550.00	1.186%	5.164%

Click subcontractor name to view payment history for this contract. Click contact person's name to send them a message.

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