ANGELO STATE UNIVERSITY (ASU)

HISTORICALLY UNDERUTILIZED BUSINESS (HUB) OUTREACH PROGRAM
SUBCONTRACTING OPPORTUNITY (IES) DETERMINATION

(Check as applicable, sign and return to ASU’s HUB Coordinator)

Procurement Solicitation ID Number: ______________________________________

Project Name: ___________________________________________________________

☐ This solicitation is not expected to result in a award $100,000 or greater.
   (Note: The HUB subcontracting plan requirements are optional)

☐ This solicitation is expected to result in an award $100,000 or greater and, in
   accordance with 1 TAC Rule 111.14, Sec. (a)(1), the following have been utilized to make the
   determination of whether subcontracting opportunities are probable under the proposed contract:

☐ Use of the HUB participation goals shown in 1 TAC, sec. 111.13 (relating to Annual   Procurement
   Utilization Goals);

☐ Research of the Centralized Master Bidders list (CMBL), the HUB Directory, the Internet and other
   directories, identified by the Texas Building and Procurement Commission (TBPC), for HUB’s that
   may be available to perform the contract work; and

☐ Additional HUB “Good Faith Effort” (GFE) activities, noted below:
   ☐ Contracting other state and local agencies and institutions of higher education to obtain
     information regarding similar contracting and subcontracting opportunities;
   ☐ Review of the history of similar ASU purchasing transaction(s); and/or
   ☐ Other (specify): _______________________________________________________

As the ASU Authorized Representative for the referenced proposed procurement, after review of the requirements
of the project/contract, I have determined, to the best of my knowledge and experience, that probable
subcontracting opportunity (ies):

☐ DO EXIST (NOTE: The HUB Subcontracting Plan (HSP) requirements must be part of the solicitation’s
   specifications)

☐ DO NOT EXIST (NOTE: An “HSP” is not required as part of the solicitation’s specification).

_________________________________________   __________________________
Signature of ASU Authorized Representative   Date

Print/Type:

_________________________________________
Name

_________________________________________
Title

Concurrence:

_________________________________________
ASU’s HUB Coordinator   __________________________
ASU Purchasing Office   Date
(325) 942-2012
Policy on Utilization of Historically Underutilized Businesses (HUBs)

In accordance with the Texas Government Code, Sections 2161.181-182 and section 111.11 of the Texas Administrative Code (TAC), state agencies shall make a good faith effort to utilize Historically Underutilized Businesses (HUBs) in contracts for construction, services, including professional and consulting services and commodities contracts. The Texas Building and Procurement Commission (TBPC) HUB Rules, 1 TAC 111.11-111.28 encourages the use of HUBs by implementing these policies through race-ethnic-and gender-neutral means.

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

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

Each state agency shall make a good faith effort to meet or exceed these goals and assist HUBs in receiving a portion of the total contract value of all contracts that the agency expects to award in a fiscal year. It is the policy of the ANGELO STATE UNIVERSITY to 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 and Commission HUB Rules, 1 TAC Section 111.14.

HUB SUBCONTRACTING PLAN (HSP) PROCEDURES

The following procedures are specified pursuant to the Texas Building and Procurement Commission’s (TBPC) HUB Rules, 1, TAC, Section 111.13 and 111.14:

a. ANGELO STATE UNIVERSITY 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 if it is probable for subcontracting opportunities under the contract.

b. If subcontracting opportunities are probable ANGELO STATE UNIVERSITY will state such probability in its bids, proposals, offers, or other applicable expression of interest and require the submission of a HSP. The HSP, acceptable to the agency, will be a provision of the contract. The agency will identify the potential subcontracting opportunities and include a list of vendors from the Centralized Master Bidders List (CMBL) that may perform the contract opportunities.

1. When ANGELO STATE UNIVERSITY has determined that subcontracting opportunities are probable, ANGELO STATE UNIVERSITY in connection with it bids,
proposals, offers, or other applicable expression of interest, will include: (a) Letter of transmittal (HSP-LTR1) attesting that the contractor/vendor has read and understands the Policy on Historically Underutilized Businesses (HUBs); (b) The tabulation of Annual Procurement Utilization Goals (HSP-GOALS); (c) Historically Underutilized Business Letter of Intent (HSP-HUB-LOI), identifying the HUBs and/or potential contractor/vendors that will be utilized for subcontracting opportunities, the expected percentage of work to be subcontracted, and the approximate dollar value of that percentage of work; (d) Determination of Good Faith Effort (HSP-DGFE Parts 1 and 2), explaining in what ways the potential contractor/vendor’s made a good faith effort in the development of the HUB Subcontracting Plan. (See Attachments A, B, C, D, and E).

2. When ANGELO STATE UNIVERSITY has determined that subcontracting opportunities are probable, but the potential contractor/vendor can perform and intends to complete all the subcontracting opportunities identified by the agency with its employees and resources without any subcontractors, the HSP shall include: (a) Letter of transmittal (HSP-LTR2) attesting that the contractor/vendor has read and understands the Policy on Historically Underutilized Businesses (HUBs); (b) The tabulation of Annual Procurement Utilization Goals (HSP-GOALS); and (c) Statement of Intent (HSP-SOI), attesting that the potential contractor/vendor shall perform the subcontracting opportunities identified by the agency, with its own employees and resources (See Attachments B, F and G).

Note: If the potential contractor/vendor selected and decides after the award to subcontract any part of the contract after the award, the contractor/vendor must notify ANGELO STATE UNIVERSITY. The contractor/vendor must comply with the good faith effort requirements relating to developing and submitting a subcontracting plan before any modifications or performance in the awarded contract involving subcontracting can be authorized by ANGELO STATE UNIVERSITY.

c. Accordingly, a HSP is required as part of your bids, proposals, offers, or other applicable expression of interest. Responses that do not include the HSP or if the agency determines that the HSP was not developed in good faith, shall be rejected as a material failure to comply with the advertised specifications.

d. No changes shall be made to an accepted subcontracting plan prior to its incorporation into the contract. State agencies shall review the supporting documentation submitted by the potential contractor/vendor to determine if a good faith effort has been made in accordance with ANGELO STATE UNIVERSITY’S bid specifications.

e. ANGELO STATE UNIVERSITY shall require a potential contractor/vendor to state whether it is a Texas certified HUB.

f. Potential contractors/vendors shall follow, but are not limited to, procedures listed below when developing a HUB subcontracting plan.

(1) Divide the contract work into reasonable lots to the extent consistent with prudent industry practice.
(2) Notify HUBs of the work that the contractor/vendor intends to subcontract. The preferable method of notification shall be in writing. The notice shall, in all instances, include the scope of the work, information regarding the location to review plans and specifications, information about bonding and insurance requirements, and identify a contact person. The notice shall be provided to potential HUB subcontractors prior to submission of the contractor's/vendor's bid. The potential contractor/vendor shall provide potential HUB subcontractors reasonable time to respond to the potential contractor's/vendor's notice. "Reasonable time to respond" in this context is no less than five working days from receipt of notice, unless circumstances require a different time period, which is determined by the agency and documented in the contract file. The potential contractor/vendor shall effectively use the TBPC's Centralized Master Bidders List, the HUB Directory, Internet resources, and other directories as identified by the TBPC or ANGELO STATE UNIVERSITY when searching for HUB subcontractors. Contractors/Vendors shall effectively use the services of minority, women, and community organizations contractor groups, local, state, and federal business assistance offices, and other organizations that provide assistance in identifying HUBs able to perform all or select elements of the HUB subcontracting plan. The potential contractor/vendor shall provide the notice described in this subsection to three or more HUBs that perform the type of work required. The potential contractor/vendor shall provide official written documentation (i.e. phone logs, fax transmittals, etc.) to demonstrate compliance with the notice required in this subsection. (Form HUB-S – Part 2) (See Attachment E).

NOTE: A random reference list of Texas certified HUBs and contractors that may be used to performed the subcontracting opportunities has been attached to assist potential contractor/vendors in achieving the program goal. A complete list of all TBPC certified HUBs may be electronically accessed through the Internet. The TBPC information server is available through the Internet based World-Wide-Web. Although there are alternatives to connect to this data, the preferred method is through the Internet using a Web Browser (like Netscape, Mosaic, etc.). Using a Web Browser, please connect to http://www.tbpc.state.tx.us.

(3) Provide written justification of the selection process, if a non HUB subcontractor is selected through means other than competitive bidding, or a HUB bid is the best value responsive bidder to a competitive bid invitation, but is not selected.

(4) Advertise HUB subcontracting opportunities in general circulation, trade association, and/or minority/woman focus media concerning subcontracting opportunities.
(5) Encourage a selected noncertified minority or woman-owned business subcontractor to apply for certification by the commission in accordance with the procedures set forth in §111.17 of this title (relating to Certification Process).

g. If the contract is a lease contract, the lessor shall comply with the requirements of this section from and after the occupancy date provided in the lease, or such other time as may be specified in the invitation for bid for the lease contract.

h. In making a determination whether a good faith effort has been made in the development of the required HUB subcontracting plan, a state agency shall require the potential contractor/vendor to submit supporting documentation explaining in what ways the potential contractor/vendor has made a good faith effort according to each criterion listed above. The documentation shall include at least the following (Form DGFE – Part 1) (See Attachment D – Pages 1 and 2):

(1) Whether the potential contractor/vendor divided the contract work into reasonable portions in accordance with prudent industry practices.

(2) Whether the potential contractor/vendor sent notices containing adequate information about bonding, insurance, the plans, the specifications, scope of work, and other requirements of the contract to three or more qualified HUBs allowing reasonable time for HUBs to participate effectively.

(3) Whether the potential contractor/vendor negotiated in good faith with qualified HUBs, not rejecting qualified HUBs who were also the best value responsive bidder.

(4) Whether the potential contractor/vendor documented reasons for rejection or met with the rejected HUB to discuss the rejection.

(5) Whether the potential contractor/vendor advertised in general circulation, trade association, and/or minority/women focus media concerning subcontracting opportunities.

(6) Whether the potential contractor/vendor assisted non-certified HUBs to become certified.

i. The HUB subcontracting plan and supporting documentation shall be reviewed and evaluated by state agencies to determine if a good faith effort has been made in accordance with TBPC’s rules and bid specifications prior to contract award. If accepted, the HUB Subcontracting Plan shall become a provision of the ANGELO STATE UNIVERSITY’S contract. No changes may be made in an accepted HUB Subcontracting Plan prior to incorporation in the contract.
j. If the agency determines that a submitted HUB subcontracting plan was not developed in good faith, the agency shall treat the lack of good faith as a material failure to comply with advertised specifications, and the subject bid or other response shall be rejected. The reasons for rejection shall be recorded in the procurement file.

k. If at any time during the term of the contract, a contractor/vendor desires to make changes to the approved HUB Subcontracting Plan, such proposed changes must be received for prior review and approval by ANGELO STATE UNIVERSITY before changes will be effective under the contract. The potential contractor/vendor must comply with provisions of 111.14 (b), relating to development and evaluation of HUB Subcontracting Plans, in order to substitute work or a subcontractor prior to any alternative under the subcontracting plan. ANGELO STATE UNIVERSITY shall approve changes by contract amendments. The reasons for amendments shall be recorded in the procurement file.

l. If a potential contractor/vendor has determined that it can perform all the subcontracting opportunities identified by ANGELO STATE UNIVERSITY, a statement of the potential contractor's/vendor's intent to complete the work with its employees and resources without any subcontracting will be submitted with the potential contractor's/vendor's bid, proposal, offer, or other expression of interest (See Attachments F, B & G). If the potential contractor/vendor is selected and decides to subcontract any part of the contract after the award, as a provision of the contract, the contractor/vendor must comply with provisions of this section relating to developing and submitting a subcontracting plan prior to any modifications or performance in the awarded contract involving subcontracting can be authorized by the state agency. If the selected contractor/vendor subcontracts any of the work without prior authorization and without complying with 1 TAC Section 111.14, the contractor/vendor is deemed to have breached the contract and to be subject to any remedial actions provided by Texas Government Code, Chapter 2161, and 1 TAC §111.14. ANGELO STATE UNIVERSITY may report non-performance relative to its contracts to the commission in accordance with 1 TAC Chapter 113, Subchapter F (relating to the Vendor Performance and Debarment Program).

m. The contractor/vendor shall maintain business records documenting its compliance with the HUB Subcontracting Plan and shall submit a compliance report to ANGELO STATE UNIVERSITY periodically and in the format required by the contract documents.

n. During the term of the contract, the ANGELO STATE UNIVERSITY shall determine whether the value of the subcontracts to HUBs meets or exceeds the HUB subcontracting provisions specified in the contract.
o. **ANGELO STATE UNIVERSITY** requires a contractor/vendor to whom a contract has been awarded to report to the agency the identity and the amount paid to its subcontractors (See Attachments H and I). If the contractor/vendor is fulfilling or exceeding the plan, **ANGELO STATE UNIVERSITY** shall maintain documentation of the contractor’s/vendor’s efforts in the contract file. If the contractor/vendor fails to fulfill the HUB Subcontracting Plan specified in the contract, **ANGELO STATE UNIVERSITY** shall give the contractor/vendor an opportunity to submit documentation and explain to the state agency why the failure to fulfill the HUB Subcontracting Plan should not be attributed to a lack of good faith effort by the contractor/vendor. In determining whether the contractor/vendor made the required good faith effort, **ANGELO STATE UNIVERSITY** may not consider the success or failure of the contractor/vendor to subcontract with HUBs in any specific quantity. **ANGELO STATE UNIVERSITY**’s determination is restricted to considering factors indicating good faith including, but not limited to, the following:

1. Whether the contractor gave timely notice to the subcontractor regarding the time and place of the subcontracted work.
2. Whether the contractor facilitated access to the work site provided electrical power and other necessary utilities.
3. Whether documentation or information was provided that included potential changes in the scope of contract work.

p. If a determination is made that the contractor/vendor failed to implement the HUB Subcontracting Plan in good faith, **ANGELO STATE UNIVERSITY**, in addition to any other remedies, may report nonperformance to the commission in accordance with 1 TAC, Chapter 113, Subchapter F (relating to Vendor Performance and Debarment Program).

q. If subcontracting opportunities are not probable, **ANGELO STATE UNIVERSITY**’s bids, proposals, offers, or other applicable expression of interest will include a “Declaration of Subcontracting Opportunities” attesting that it has determined that subcontracting opportunities are not available under the contract (See Attachment K).

**Reporting Requirements**

Each contractor/vendors that enters into a contract shall report HUB subcontracting payments to the **ANGELO STATE UNIVERSITY**. The report will include the volume of work performed under the contract, the portion of the work that was performed with its employees/resources, Non-HUB contractors/vendors and other HUB contractors/vendors (See Attachments H, I & J). Attachment I should be used by the contractor/vendor to report to the agency the identification of its subcontractors and the amount paid to all subcontractors, including HUBs. Attachment J should be used by the contractor/vendor to affirm that all subcontracting opportunities are performed with the firm’s employees and resources, and without any subcontractors.
The **ANGELO STATE UNIVERSITY** may request payment documentation in accordance with the TBPC HUB Rules, and the HSP that confirms the performance of the contractor/vendor. During the course of the contract the **ANGELO STATE UNIVERSITY** shall discuss the performance of the contractor/vendor and document the contractor/vendor’s performance in the contract file.

**Note:** When the prime contractor/vendor is a HUB, it must perform at least 25% of the total value of the contract with its own or leased employees as defined by the Internal Revenue Service in order for the agency to receive 100% HUB credit for the entire contract. The HUB prime contractor/vendor may subcontract up to 75% of the contract with HUBs or non-HUB subcontractors.

If a HUB prime contractor's/vendor’s HSP identifies that it is planning to perform less than 25% of the total value of contract with its employees, the HUB contractor/vendor must report to the agency the value of the contract that was actually performed by the HUB prime contractor/vendor and its HUB subcontractors. If the HUB contractor/vendor does not report the HSP this would cause double reporting of HUB dollars.

**ANGELO STATE UNIVERSITY** shall audit the contractor's/vendor's compliance with the HUB Subcontracting Plan. If the contractor is found deficient, **ANGELO STATE UNIVERSITY** shall give the contractor/vendor an opportunity to submit documentation and explain to the state agency why the failure to fulfill the HUB subcontracting plan should not be attributed to a lack of good faith effort by the contractor/vendor. Any deficiencies will be identified by **ANGELO STATE UNIVERSITY** and must be rectified prior to the next reporting period by the contractor/vendor.

**Note:** This policy will be included in all contracts with an expected value of $100,000 or more.
(Name of Official)
(CONTRACTING AGENCY’S NAME)
(Address Line)
City, State, Zip Code

Dear ______________:

I am pleased to forward this HUB Subcontracting Plan as an integral part of our bid (proposal, offer, or other expression of interest) in connection with your invitation for bids (request for proposals, etc.) #__________________.

I have read and understand ANGELO STATE UNIVERSITY’S Policy on Utilization of Historically Underutilized Businesses (HUBs). (Number) HUB-LOI(s) is (are) enclosed totaling $__________. That amount is _________ percent of our total bid amount.

Sincerely,

(Signature)
(Printed Name)
(Printed Title)
HUB SUBCONTRACTING PLAN
STATE OF TEXAS

ANNUAL PROCUREMENT UTILIZATION GOALS
1 Texas Administrative Code §111.13

11.9% for heavy construction other than building contracts;
26.1% for all building construction, including general contractors
and operative builders contracts;
57.2% for all special trade construction contracts;
20.0% for professional services contracts;
33.0% for all other services contracts; and
12.6% for commodities contracts.
HUB SUBCONTRACTING PLAN
HISTORICALLY UNDERUTILIZED BUSINESS
LETTER OF INTENT (HUB-LOI)

HUB-LOI IS USED BY POTENTIAL CONTRACTOR/VENDOR TO IDENTIFY

SUBCONTRACTORS SELECTED FOR WORK ON THE CONTRACT

Bidder: __________________________ Vendor Identification Number: __________________________

Address: ____________________________________________________________

Phone: ____-____-____ Bid Number: __________ Contract Amount: _______________________

Description of commodities/specifications:
_________________________________________________________________________

Duration of Contract: _______________________________________________________

Name of Subcontractor/Supplier: ________________________________________________

Address: _________________________________________________________________

Phone: ____-____-____ Is the subcontractor a certified HUB? _____ Yes _____ No

If yes, enter the TBPC Certificate (VID) number: _________________________________

Dollar amount of contract with subcontractor/supplier: $________________________

Percentage amount of contract with subcontractor/supplier: % _______________________

Description of materials/services performed under agreement with the subcontractor for amount indicated above:
_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________

PLEASE SUBMIT A SEPARATE FORM FOR EACH SUBCONTRACTOR/SUPPLIER.

SAMPLE

HSP POLICY Revised 10/28/02
HUB SUBCONTRACTING PLAN
Historically Underutilized Business (HUB)

DETERMINATION OF GOOD FAITH EFFORT (DGFE), PART 1, PAGE 1

(This form must be completed and submitted as part of the HUB Subcontracting Plan)

Contractor/Vendor Name:________________________ Vendor Identification Number:____________

Address:__________________________________________________________________________

Phone:____-____- _____ Bid Number:_____________________ Contract Amount:_______________

In determining whether a good faith effort has been made in development of the HUB Subcontracting Plan, a state agency shall require the potential contractor/vendor to submit supporting documentation explaining in what ways the potential contractor/vendor has made a good faith effort. Please answer the questions below. Provide necessary documentation to support your answers. Use continuation sheets as required.

1. Did your company divide the contract work into reasonable portions in accordance with prudent industry practices?

2. Did your company send notices containing adequate information about bonding, insurance, the plans, the specifications, scope of work, and other requirements of the contract to three or more qualified HUBs allowing reasonable time for HUBs to participate effectively (include Attachment E)?

3. Did your company negotiate in good faith with qualified HUBs, not rejecting qualified HUBs who were the best value responsive bidder?
HUB SUBCONTRACTING PLAN
Historically Underutilized Business (HUB)

DETERMINATION OF GOOD FAITH EFFORT (DGFE), PART 1, PAGE 2

(This form must be completed and submitted as part of the HUB Subcontracting Plan)

Contractor/Vendor Name:________________________   BID Number ___________________________________

4. Did your company document reasons for rejection or meet with rejected HUBs to discuss the rejection?

5. Did your company advertise in general circulation, trade association, and minority/women focus media concerning subcontracting opportunities?

6. Did your company assist non-certified HUBs to become certified?

NOTE: The contracting agency will review the supporting documentation submitted by the potential contractor/vendor to determine if a good faith effort was made in accordance with applicable 1 TAC rules and the contract specifications. If it is determined that a good faith effort was not made, the bid or other response shall be rejected as a material failure to comply with advertised specifications. The reasons for rejection will be recorded in the project file.
HUB SUBCONTRACTING PLAN
Historically Underutilized Business (HUB)

SOLICITATION (HUB-S)

DETERMINATION OF GOOD FAITH EFFORT (DGFE), PART 2, PAGE 1
(This form must be completed and submitted as part of the HUB Subcontracting Plan for Determination of Good Faith Effort)

Contractor/Vendor Name: __________________ Vendor Identification Number: ______________

Address: ___________________________________________________________________

Phone: ____-____-______ Bid Number: _______________ Contact Name: __________________

Are you certified as a Texas HUB? ___Yes ___No;

If Yes, please provide your TBPC VID/Certificate Number above.

Specific Subcontract Solicited: __________________________________________________

Contractor’s Estimate of Approximate Dollar Value of Subcontract Advertised: ______________

* Identify each HUB to which a notice of solicitation was given. Attach a copy of each solicitation letter.

1. Name of HUB Subcontractor/Supplier: _______________________________________________
   Address: _______________________________________________________________________
   Phone: ____-____-______ Owner(s): __________________________

   If TBPC certified, enter Vendor Identification Number: _______________ If not TBPC certified, please complete the following information:

   ☐ Black American ☐ Male ☐ Female ☐ Native American ☐ Male ☐ Female ☐ Woman
   ☐ Hispanic American ☐ Male ☐ Female ☐ Asian Pacific American ☐ Male ☐ Female

   Date certification packet delivered to HUB subcontractor __________________

2. Name of HUB Subcontractor/Supplier: _______________________________________________
   Address: _______________________________________________________________________
   Phone: ____-____-______ Owner(s): __________________________

   If TBPC certified, enter Vendor Identification Number: _______________ If not TBPC certified, please complete the following information:

   ☐ Black American ☐ Male ☐ Female ☐ Native American ☐ Male ☐ Female ☐ Woman
   ☐ Hispanic American ☐ Male ☐ Female ☐ Asian Pacific American ☐ Male ☐ Female
HUB SUBCONTRACTING PLAN
Historically Underutilized Business (HUB)

SOLICITATION (HUB-S)

DETERMINATION OF GOOD FAITH EFFORT (DGFE), PART 2, PAGE 2

(This form must be completed and submitted as part of the HUB Subcontracting Plan for Determination of Good Faith Effort)

Contractor/Vendor Name: ____________________ Vendor Identification Number: ______________

3. Name of HUB Subcontractor/Supplier: _______________________________________________
   Address: ________________________________________________________________________
   Phone: _____-____-______ Owner(s): ________________________________________________

   If TBPC certified, enter Vendor Identification Number: ______________ If not TBPC certified, please complete the following information:

   ☐ Black American ☐ Male ☐ Female ☐ Native American ☐ Male ☐ Female ☐ Woman
   ☐ Hispanic American ☐ Male ☐ Female ☐ Asian Pacific American ☐ Male ☐ Female

   Date certification packet delivered to HUB subcontractor _________________

4. Name of HUB Subcontractor/Supplier: _______________________________________________
   Address: ________________________________________________________________________
   Phone: _____-____-______ Owner(s): ________________________________________________

   If TBPC certified, enter Vendor Identification Number: __________ If not TBPC certified, please complete the following information:

   ☐ Black American ☐ Male ☐ Female ☐ Native American ☐ Male ☐ Female ☐ Woman
   ☐ Hispanic American ☐ Male ☐ Female ☐ Asian Pacific American ☐ Male ☐ Female

   Date certification packet delivered to HUB subcontractor _________________

5. Name of HUB Subcontractor/Supplier: _______________________________________________
   Address: ________________________________________________________________________
   Phone: _____-____-______ Owner(s): ________________________________________________

   If TBPC certified, enter Vendor Identification Number: ______________ If not TBPC certified, please complete the following information:

   ☐ Black American ☐ Male ☐ Female ☐ Native American ☐ Male ☐ Female ☐ Woman
   ☐ Hispanic American ☐ Male ☐ Female ☐ Asian Pacific American ☐ Male ☐ Female

   Date certification packet delivered to HUB subcontractor _________________
Attachment E (cont’d)

HUB SUBCONTRACTING PLAN
Historically Underutilized Business (HUB)

SOLICITATION (HUB-S)

DETERMINATION OF GOOD FAITH EFFORT (DGFE), PART 2, PAGE 3

(This form must be completed and submitted as part of the HUB Subcontracting Plan for Determination of Good Faith Effort)

Contractor/Vendor Name: ___________________________ Vendor Identification Number: ____________

6. Name of HUB Subcontractor/Supplier: _________________________________________________
   Address: _________________________________________________________________________
   Phone: _____-____-______ Owner(s): _______________________________________________

   If TBPC certified, enter Vendor Identification Number: _______________ If not TBPC certified, please complete the following information:

   □ Black American □ Male □ Female □ Native American □ Male □ Female □ Woman
   □ Hispanic American □ Male □ Female □ Asian Pacific American □ Male □ Female

   Date certification packet delivered to HUB subcontractor _________________

7. Name of HUB Subcontractor/Supplier: _________________________________________________
   Address: _________________________________________________________________________
   Phone: _____-____-______ Owner(s): _______________________________________________

   If TBPC certified, enter Vendor Identification Number: _______________ If not TBPC certified, please complete the following information:

   □ Black American □ Male □ Female □ Native American □ Male □ Female □ Woman
   □ Hispanic American □ Male □ Female □ Asian Pacific American □ Male □ Female

   Date certification packet delivered to HUB subcontractor _________________

8. Name of HUB Subcontractor/Supplier: _________________________________________________
   Address: _________________________________________________________________________
   Phone: _____-____-______ Owner(s): _______________________________________________

   If TBPC certified, enter Vendor Identification Number: _______________ If not TBPC certified, please complete the following information:

   □ Black American □ Male □ Female □ Native American □ Male □ Female □ Woman
   □ Hispanic American □ Male □ Female □ Asian Pacific American □ Male □ Female

   Date certification packet delivered to HUB subcontractor _________________
HUB SUBCONTRACTING PLAN
Historically Underutilized Business (HUB)

SOLICITATION (HUB-S)

DETERMINATION OF GOOD FAITH EFFORT (DGFE), PART 2, PAGE 4

(This form must be completed and submitted as part of the HUB Subcontracting Plan for Determination of Good Faith Effort)

Contractor/Vendor Name: ____________________________ Vendor Identification Number: _________________

9. Name of HUB Subcontractor/Supplier: ______________________________________________
   Address: ____________________________________________________________________________
   Phone: _____-_____-_______  Owner(s): ________________________________________________

   If TBPC certified, enter Vendor Identification Number: _________________ If not TBPC certified, please complete the following information:

   □ Black American  □ Male  □ Female  □ Native American  □ Male  □ Female  □ Woman
   □ Hispanic American □ Male  □ Female  □ Asian Pacific American  □ Male  □ Female

   Date certification packet delivered to HUB subcontractor ________________________________

10. Name of HUB Subcontractor/Supplier: ________________________________________________
    Address: ____________________________________________________________________________
    Phone: _____-_____-_______  Owner(s): ________________________________________________

    If TBPC certified, enter Vendor Identification Number: _________________ If not TBPC certified, please complete the following information:

    □ Black American  □ Male  □ Female  □ Native American  □ Male  □ Female  □ Woman
    □ Hispanic American □ Male  □ Female  □ Asian Pacific American  □ Male  □ Female

    Date certification packet delivered to HUB subcontractor _____________________________
(BUSINESS LETTERHEAD)

(Name of Official)
CONTRACTING AGENCY’S NAME
(Address Line)
(Address Line)

Dear ____________:

I am pleased to forward this HUB Subcontracting Plan as an integral part of our bid (proposal, offer, or other expression of interest) in connection with your invitation for bids (request for proposals, etc.) #__________________.

I have read and understand ANGELO STATE UNIVERSITY’S Policy on Utilization of Historically Underutilized Businesses (HUBs). The enclosed HUB-SOI expresses our intent to perform and/or supply all contracted goods or services with our employees and resources.

Sincerely,

(Signature)
(Printed Name)
(Printed Title)
HUB SUBCONTRACTING PLAN
Historically Underutilized Business
STATEMENT OF INTENT (SOI)

(Must be completed and submitted when the contractor/vendor plans to complete all work with its employees and resources.)

If the potential contractor/vendor can perform the subcontracting opportunities identified by ANGELO STATE UNIVERSITY, with its employees and resources, the HUB Subcontracting Plan must express the potential contractor/vendor's intent to complete the work with its employees and resources. The potential contractor/vendor must attest to this fact by completion of the Statement of Intent below.

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By completing the following Statement of Intent, the potential contractor's/vendor's HUB Subcontracting Plan may be considered responsive, qualified and/or valid:

STATEMENT OF INTENT:
I ___________________, an authorized representative of contractor/vendor) have reviewed the purchase solicitations, and have determined that the entire work of the contract will be completed with contractor/vendor) own employees and internal resources without subcontracting any portion of the contract.

I hereby agree to act in good faith and understand that if my company is awarded the contract, that as a provision of this contract, I agree to complete all subcontracting opportunities, identified by the agency, with my company’s resources and to report information to ANGELO STATE UNIVERSITY regarding my performance of the contract as specified.

If circumstances necessitate the use of any subcontractors, I agree to seek the timely authorization by the contracting agency and adhere to the provisions of 1 TAC, Section 111.14 (relating to the submission of HUB Subcontracting Plan documents). I also agree and understand that if I fail to comply with this Statement of Intent, I will be in breach of the performance of the contract.

Printed Name of Contractor/Vendor  Signature of Contractor/Vendor

Date: ______________________________________

If the selected contractor/vendor decides to subcontract any part of the contract after the award, as a provision of the contract, the contractor/vendor must seek authorization and comply with provisions of 1 TAC, Section 111.14, prior to any modifications or performance in the awarded contract involving subcontracting. If the contractor/vendor subcontracts any of the work without prior authorization and without complying with contract specifications or HUB Subcontracting Plan, the contractor/vendor is deemed to have breached the contract. The contractor/vendor also is subjected to any other remedial actions provided by Chapter 2161 of the Texas Government Code and 1 TAC, Section 111.14. ANGELO STATE UNIVERSITY also may report non-performance to the TBPC in accordance with the TBPC’s vendor Performance and Debarment Program.
GOOD FAITH EFFORT COMPLIANCE

On a monthly basis state agencies shall require a contractor/vendor to whom a state agency has awarded a contract to report to the agency the identity and amount paid to each historically underutilized business to whom the contractor/vendor has awarded a subcontract for the purchase of supplies, materials and equipment, provided that payment was made to a historically underutilized business in the month to be reported. After an award is made, the contractor/vendor will provide the following documents to the contracting agency:

1. Historically Underutilized Business Progress Assessment Report (HUB-PAR), documentation of work subcontracted with HUBs and Non-HUBs in accordance with the HUB Subcontracting Plan. Identify HUBs by indicating Yes or No and include the TBPC Certificate VID number.

2. No subcontracting Progress Affidavit (NON-SUB-AFF) affirms that NO subcontractors have been used on the contract in accordance with the HUB Subcontracting Plan. If contractors have been used, the contractor/vendor should identify all subcontractors used in the contract.
**PRIME CONTRACTOR**
**PROGRESS ASSESSMENT REPORT (NON-HUB-PAR)**
**DOCUMENTATION OF WORK SUBCONTRACTED WITH HUBs**

Date of Award____  Contract/Requisition Number__________ Object Code (agency use): ________________

Contractor Name ________________________________________________________________

Contractor Vendor Identification Number (VID Number)________________________________

Total Contract Amount Paid this Period to Contractor______________________________

Document HUB/and NON-HUB Subcontractor Information, as applicable below:

<table>
<thead>
<tr>
<th>Subcontractor/ Supplier Name(s)</th>
<th>VID or TBPC Certificate Number for Subcontractor</th>
<th>HUB Certified YES/N0</th>
<th>Total Contract $ Amount from Letter of Intent with Subcontractor</th>
<th>Total $ Amount Paid This Period to Subcontractor</th>
<th>Total Contract $ Amount Paid to Date to Subcontractor</th>
<th>Object Code (agency use only)</th>
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TOTAL REPORTED

Form to be reported monthly to the Contracting Agency, Procurement Team. Please identify the month being reported:

Signature: _________________________  Title:  ___________________________________

Date:  ____________________

SAMPLE

HSP POLICY Revised 10/28/02
HUB SUBCONTRACTING PLAN
Historically Underutilized Business

Non-Subcontractors Affidavit (NON-SUB-AFF)

(Document completed as a provision of the contract after the contract has been awarded to be compliant with the HUB Subcontracting Plan)

In accordance with the HUB Subcontracting Plan, I ____________________, an authorized representative of _______________ company certify that during this reporting period, NO subcontractors have been used on this contract.

_________________________________ ________________________________
Printed Name of Contractor/Vendor Signature of Contractor/Vendor

-----------------------------------------------------------------------------------------------------

Subscribed and sworn before me, the undersigned notary public, on this ____ day of ____ (yr.) _______.

(Notary Public Seal)

Notary Public: ________________________________

My commission expires: ________________________________
Attachment K

HUB SUBCONTRACTING PLAN
Historically Underutilized Business

DECLARATION OF SUBCONTRACTING OPPORTUNITIES

(Must be completed when the contracting agency determines no subcontracting opportunities are probable.)

In accordance with the Texas Government Code, Chapter 2161, Subchapter F, 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.

State agencies should use the steps outlined in the HUB Rules 1, TAC 111.14(a) in making the determination of whether subcontracting opportunities are probable under the contract: If subcontracting opportunities are not probable, the agency’s bids, proposals, offers, or other applicable expression of interest will include a “Declaration of Subcontracting Opportunities” attesting that it has determined that subcontracting opportunities are not available under the contract.

I, the undersigned authorized representative of the Texas Building and Procurement Commission have reviewed this solicitation, complied with the steps according to the HUB Rules and have determined to the best of my knowledge and experience that subcontracting opportunities are not probable under this contract. The reasons for this determination are attached to the contract solicitation and documented in the contract file.

________________________________________
Printed Name of Contract Administrator/Official

________________________________________
Signature of Contract Administrator/Official

Date: _________________________________

________________________________________
Signature of HUB Coordinator (if applicable)

Date: _________________________________

SAMPLE

HSP POLICY Revised 10/28/02