

**LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL**

**REQUEST FOR PROPOSAL  
INSTALLATION OF BACK-UP GENERATORS  
No: 2019-02**

ISSUE DATE: FEBRUARY 24, 2019



**PROPOSAL DEADLINE: MARCH 15, 2019 by 3PM**

LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL  
301 WEST RAILROAD  
WESLACO, TEXAS 78596  
[WWW.LRGVDC.ORG](http://WWW.LRGVDC.ORG)

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## SECTION I: GENERAL INSTRUCTIONS

### 1.1 SOLICITATION SCHEDULE

Release date of Request for Proposal: February 24, 2019

**MANDATORY** Pre-Submittal Conference (details below): March 6 and 7, 2019, 8:00 A. M. CT

Last day to submit written questions: March 8, 2019, 5:00 P. M. CT

**Proposal Deadline: March 15, 2019, 3:00 P.M. CT**

Public Bid proposal Opening: March 16, 2019, 2:00 P.M. CT

*(Official time clock is LRGVDC phone system)*

Project Begin Date: Upon Acceptance of Award

A **MANDATORY** pre-submittal conference will be conducted on Wednesday, March 6<sup>th</sup> and Thursday March 7<sup>th</sup>. The pre-submittal conference will start at the Lower Rio Grande Valley Development Council (LRGVDC) Building D, CIEDO Building, located at 301 W. Railroad, Weslaco, Texas 78596. The pre-submittal conference will consist of visitation of all of the sites where back-up generators are to be installed. This process will extend in to Thursday March 7<sup>th</sup>. **All entities interested in submitting a bid proposal are required to attend.**

### 1.2 AUTHORIZED AGENCY CONTACT

- Offerors may submit questions and inquiries via email only to [lrgvdc@lrgvdc.org](mailto:lrgvdc@lrgvdc.org).
- No phone or in-person inquiries regarding the proposal shall be conducted other than at the pre-submittal conference presentation and Q&A.
- Questions submitted in writing, via email will be answered within three business days.
- Inquiries, questions and responses shall be posted as addendums on LRGVDC website. Offerors should frequently check for any updates.

### 1.3 PROJECT SUBMISSION

**All Bid proposal Proposals shall be submitted via sealed envelope, displaying name of offeror and project title addressed to the following:**

LRGVDC  
301 West Railroad-Building "D"  
Weslaco, Texas 78596  
**SEALED PROPOSAL**

**INSTALLATION OF BACK-UP GENERATORS RFP**

- Fax copies are not acceptable. Paper copies only, no CDs or removable memory devices acceptable
- LRGVDC Office Hours: Monday through Friday from 8:00 AM to 5:00 PM

## SECTION II: BACKGROUND INFORMATION

### 2.1 LRGVDC OVERVIEW

The Lower Rio Grande Valley Development Council (LRGVDC) is one of twenty-four (24) state planning regions and association of local governments formed under Texas Law to address issues and planning needs that cross the boundaries of individual local governments. The LRGVDC coordinates planning efforts, provides a regional approach to problem solving through cooperative action and provides direct services, when applicable. The designated geographical service area is the 3,643 square miles of Cameron, Hidalgo and Willacy Counties.

The LRGVDC is comprised of programs in the fields of economic development, public safety, transportation, environmental services and health and human services. Funding to support these programs originates from local, state, and federal sources. LRGVDC is governed by a twenty-seven (27) member Board of Directors of whom two-thirds are required to be elected officials of the designated boundaries.

The 9-1-1 Department of the Lower Rio Grande Valley Development Council provides support services and equipment for 9-1-1 Call Centers in Hidalgo and Willacy Counties. Our Public Safety Answering Points (PSAPs) are located at (and staffed by) area police departments, fire stations, and the sheriff's office.

### 2.2 PROJECT SUMMARY

The Lower Rio Grande Valley Development Council (LRGVDC) is requesting proposals to provide all steps necessary to complete installation of 100amp 30kw Kohler generators at several sites throughout Willacy and Hidalgo County. Bidders will be responsible for determining all requirements and permits needed to complete the installation of the generator, transfer switches, any associated electrical and other components needed to ensure the proper, efficient and safe operation of the system. Bidders will also be responsible for obtaining all engineering approvals needed, as mandated by and required by the municipality where the generator is installed. It's the bidder's responsibility to coordinate all approvals by those municipalities.

Sealed bid proposals should be marked "INSTALLATION OF BACK-UP GENERATORS" and will be received by the LRGVDC at the Center for International Economic Development Opportunities (CIEDO) building by 3pm March 15<sup>th</sup>, 2019. Emailed, facsimiles, or late bid proposals will not be accepted. Any RFP received after that time will not be opened or considered. Overnight mail must also be properly labeled on the outside of express envelope of package in reference to the RFP.

**A mandatory pre-submittal meeting will be held at 8 a.m. on March 6<sup>th</sup>, 2019, at the LRGVDC Building D, 301 W. Railroad, Weslaco Texas.** The pre-submittal meeting will consist of the introduction of the project and then continue with a tour of each of the sites where installation will take place. This tour may carry on to the following day, March 7<sup>th</sup>, 2019. Only bidders with a representative at this meeting and tour of the installation sites will be allowed to submit a bid proposal. **IN CASE OF SEVERE WEATHER, REGISTERED BID PROPOSALHOLDERS WILL BE NOTIFIED VIA EMAIL OF NEW DATE/TIME.**

### 2.3 GENERAL TERMS AND CONDITIONS

1. Sealed Bid proposals must be submitted to the LRGVDC by the deadline in the Request for Proposal. **The original and three copies should be submitted.** Emailed, facsimiled, or late bid proposals will not be accepted or considered. In the event of a weather closing at the LRGVDC office, the bid proposals will be opened the next open business day at the same time. Proposals must be sealed and marked

with the words “**INSTALLATION OF BACK-UP GENERATORS RFP**”.

2. All work is to be done by skilled tradespeople. Proper Texas certification is required. **Minimum requirement is 3 years’ experience installing systems of similar size and scope in Texas. ALL permits, engineering approvals, and associated requirements are the responsibility of the Contractor.**
3. The contractor will be bound by all applicable statutory provisions of law of the Federal Government, the State of Texas, and local codes. As the LRGVDC is exempt from the payment of Federal Excise Taxes and Texas Sales Tax, prices quoted herein are not to include these taxes.
4. Bid proposals must give full firm name and address of bidder and be manually signed. Failure to do so may disqualify your bid proposal. Person signing bid proposal must show title or AUTHORITY TO BIND HIS FIRM IN A CONTRACT. Firm name and authorized signature must appear on each page that calls for this information.
5. Bid proposals which are incomplete, not properly endorsed or signed, or otherwise contrary to instructions will be rejected as non-responsive by the LRGVDC. Conditional bid proposals will not be accepted.
6. A bidder will be held to the terms and the prices submitted for the duration of the contract period if a contract is signed by both parties within 30 days from bid proposal opening.
7. The contractor will be required to indemnify and hold harmless the LRGVDC and the entity where generator will be installed for all damages to life and property that may occur due to contractor’s negligence or that of his/her employees, subcontractors, etc., during the contract. If any property is needlessly damaged by an act or omission of the contractor, the amount of damages will be deducted from money due the contractor or may be recovered from said contractor in legal action.
8. Contract execution will be conditioned upon producing an insurance certificate as outlined on the INSURANCE REQUIREMENTS on page 9.
9. The contract resulting from this bid proposal will be awarded to the responsible and responsive contractor based upon low price, past performance and reliability of the contractor, quality of product and/or service, and degree of exclusion, exemption, or restrictions on the bid proposal.
10. A contract will be signed between the awarded contractor and the LRGVDC. Joint proposals will not be accepted.
11. PUBLIC INFORMATION: All information, documentation, and other materials submitted in response to this solicitation are considered non-confidential and/or non-proprietary and are subject to public disclosure under the Texas Public Information Act (Texas Government Code, Chapter 552.001, et seq.) after the solicitation is completed.
12. CLARIFICATIONS AND INTERPRETATIONS: Any clarifications or interpretations of this RFP that materially affect or change its requirements will be posted by the LRGVDC as an addendum on the LRVDC web site (<http://www.lrgvd.org/procurement>). It is the responsibility of all respondents to obtain this information in a timely manner. All such addenda issued by the LRGVDC before the proposals are due as part of the RFP, and respondents shall acknowledge receipt of and incorporate addenda accordingly.

13. EVALUATION OF PROPOSALS: The evaluation of the proposals shall be based on the requirements described in this RFP. All properly submitted proposals will be reviewed, evaluated, and ranked by the LRGVDC.
14. LRGVDC'S RESERVATION OF RIGHTS: The LRGVDC may evaluate the proposals based on the anticipated completion of all or any portion of the project. The LRGVDC reserves the right to reject any and all proposals and re-solicit for new proposals, or to reject any and all proposals and temporarily or permanently abandon the project. LRGVDC makes no representations, written or oral, that it will enter into any form of agreement with any respondent to this RFP for any project and no such representation is intended or should be construed by the issuance of this RFQ.
15. ACCEPTANCE OF EVALUATION METHODOLOGY: By submitting its proposal in response to this RFQ, respondent accepts the evaluation process and acknowledges and accepts that determination of the "most qualified" or firm(s) providing "best value" will require subjective judgments by the LRGVDC.
16. NO REIMBURSEMENT FOR COSTS: Respondent acknowledges and accepts that any costs incurred from the respondent's participation in this RFP shall be at the sole risk and responsibility of the respondent.
17. SALES AND USE TAXES: Section 151.311, Tax Code, as amended effective October 1, 1993, permits the purchase free of state sales and use taxes of tangible personal property to be incorporated into realty in the performance of a contract for an improvement to realty for certain exempt entities that include the LRGVDC. The section further permits the purchase tax-free of tangible personal property (other than machinery or equipment and its accessories and repair and replacement parts) for use in the performance of such a contract if the property is "necessary and essential for the performance of the contract" and "completely consumed at the job site." In addition, the section permits the purchase tax-free of a tangible service for use in the performance of such a contract if the service is performed at the job site and if "the contract expressly requires the specific service to be provided or purchased by the person performing the contract" or "the service is integral to the performance of the contract."
18. CERTIFICATION OF FRANCHISE TAX STATUS: Respondents are advised that the successful respondent will be required to submit certification of franchise tax status as required by State Law (H.B. 175, Acts 70th Leg. R.S., 1987, Ch. 283, p. 3242). The contractor agrees that each subcontractor and supplier under contract will also provide a certification of franchise tax status.
19. REQUIRED NOTICES OF WORKERS' COMPENSATION INSURANCE COVERAGE: The Texas Workers' Compensation Commission has adopted a new rule, 28 TAC, sec. 110.110, relating to REPORTING REQUIREMENTS FOR BUILDING OR CONSTRUCTION PROJECTS FOR GOVERNMENTAL ENTITIES. The rule implements sec. 406.096, Texas Labor Code, which requires workers' compensation insurance coverage for all persons providing services on a building or construction project for a governmental entity.
20. PREVAILING WAGE RATE DETERMINATION: Davis-Bacon wage requirements will apply for this project.
21. DELINQUENCY IN PAYING CHILD SUPPORT: Under Section 231.006, Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid proposal, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate.
22. The LRGVDC will be available to answer any general questions about procedure, etc., but no question

will be answered that in any way could give an unfair advantage to a contractor. Inquiries should be sent via email to [lrgvdc@lrgvdc.org](mailto:lrgvdc@lrgvdc.org).

23. The Contractor must submit with their response a list of at least three (3) projects which they have successfully completed, giving the name and address of the projects so that they may be investigated prior to the award of the contract. A contact person with CURRENT PHONE NUMBER must be provided for each reference.
24. Any inferior or damaged product, as determined by the LRGVDC, will be replaced at the total expense of the Vendor.
25. The scope of service are the minimum requirements. There is no intention to disqualify any bidder who can exceed the scope of service.
26. Any restrictions, qualifications, or deviations from specifications must appear either on the Bid proposal Form or on an attachment thereto.
27. The contract will include but not be limited to all general and specific conditions contained in the Request for Proposal and the Bid proposal Form submitted by the awarded bidder.
28. The bidder represents and warrants that no employee, official, or member of the LRGVDC is or will be peculiarly interested in or benefitted directly or indirectly as a result of this contract.
29. The bidder represents as part of its offer that neither it nor any of its employees, representatives, or agents have offered or given gratuities (in the form of entertainment, gifts or otherwise) to any director, office or employee of the LRGVDC with the view toward securing favorable treatment in the awarding, amending, or the making of any determination with respect to the performing of the contract.
30. It is the responsibility of the entity providing the proposal to remain aware of and acknowledge any addendums to this Request for Proposal.
31. Acknowledgment of Addendums to Request for Proposal:
  - A. If this solicitation is amended, then all terms and conditions which are not modified remain unchanged.
  - B. Bidders shall acknowledge receipt of any addendums to this solicitation by identifying the addendums number and date and including a summary of the addendums on one sheet with the date of receipt or acknowledgement.
32. Bid proposals cannot be altered or amended after opening time. Alterations made before opening time must be initialed by bidder guaranteeing authenticity. No Bid proposal may be withdrawn after opening time without acceptable reason in writing and only after approval by the LRGVDC.
33. No substitutions or cancellations permitted without written approval of the LRGVDC.
34. Any additions, deletions, or variations from the following specifications will not be allowed. Any parts not specifically mentioned which are necessary for the work to be complete and for use or which are normally furnished as standard equipment shall be furnished by the successful Bidder and shall confirm in strength, quality, and workmanship to the accepted standard of the industry.

35. Each copy of the bid proposal shall include the legal name of the bidder and a statement whether the bidder is a sole proprietorship, a corporation, or any other legal entity. A bid proposal for a corporation shall further give the state of incorporation and have the corporate seal affixed to it.

36. Preparation of bid proposals

- A. Bidders are expected to examine each site for generator installation, determine the needs for each site, obtain required permission for installation, as well as follow the General Terms & Conditions, specifications, the statement of work, and all other provisions of, and attachments to the solicitation, whether incorporated by reference or otherwise, prior to the submission of bid proposals. Failure to do so will be at the bidder's risk.
- B. Each bidder shall furnish the information required by the solicitation. Bid proposals shall be submitted on the bid proposal form contained in the solicitation. Bidders shall sign and print or type their name on the bid proposal form and each continuation sheet on which they make an entry. Erasures or other changes must be initialed by the person signing the bid proposal. Bid proposals signed by an agent of the bidder (other than an officer or a partner of the bidder) are to be accompanied by evidence of the agent's authority.
- C. All blanks on the bid proposal form shall be filled in by typewriter or printed in ink with a firm fixed unit price for items bid proposal. In case of any discrepancy between a unit price and any extended or total price required by the bid proposal form, the unit price will be presumed to be correct, subject, however, to correction to the same extent and in the same manner as any other mistake.
- D. Bid proposals for property or services other than those specified in the Schedule will not be considered unless specifically authorized in the solicitation. Any condition, qualification, or limitation of the bid proposal may be a basis for rejection of the bid proposal as nonresponsive.
- E. The bidder must state a definite time for delivery of performance of services unless otherwise specified in the solicitation. All measurements shall be in the system of weights and measures in common usage in the United States, and pricing shall be in U.S. dollars.

37. Submission of Bid proposals

- A. Bid proposals and modifications thereof shall be enclosed in sealed envelopes or sealed cartons and submitted to the LRGVDC at the address specified in the solicitation. The bidder shall show the hour and date specified in the solicitation for receipt of bid proposals, the solicitation number, and the bidder's name, address, and telephone number on the face of the envelope or carton.
- B. Telegraphic bid proposals will not be considered unless authorized by the solicitation; however, bid proposals may be modified or withdrawn by written or telegraphic notice, provided such notice is received prior to the hour and date specified for receipt of bid proposals.
- C. Samples of items, when required, must be submitted within the time specified and, unless otherwise specified in the solicitation, at no expense to the LRGVDC. If not destroyed by testing, samples will be returned at the bidder's request and expense, unless otherwise specified in the solicitation.

38. HISTORICALLY UNDERUTILIZED BUSINESSES' SUBMITTAL REQUIREMENTS: It is the policy of the LRGVDC to promote and encourage contracting and subcontracting opportunities for Historically Underutilized Businesses (HUB) in all contracts. The policy applies to all contracts with an expected value of \$100,000 or more. The LRGVDC has determined that subcontracting opportunities are probable, thus a HUB Subcontracting Plan is a required element of the proposal. Failure to submit a required HUB Subcontracting Plan will result in rejection of the proposal.



39. Submit one (1) signed original hard copy and one (1) electronic copy (pdf) with original signature on USB flash drive of the HUB Subcontracting Plan (HSP) as separate attachment to the proposal.

#### 40. INSURANCE REQUIREMENTS

##### Contractor's Liability Insurance

- A. Contractor shall purchase and maintain such liability and other insurance as is appropriate for the work being performed and will provide protection from claims set forth below which may arise out of or result from Contractor's performance of the Work and Contractor's other obligations under the Contract Documents, whether it is to be performed by Contractor, any Subcontractor or Supplier, or by anyone directly or indirectly employed by any of them to perform any of the Work, or by anyone for whose acts any of them may be liable:
- claims under workers' compensation, disability benefits, and other similar employee benefit acts;
  - claims for damages because of bodily injury, occupational sickness or disease, or death of contractor's employees;
  - claims for damages because of bodily injury, sickness or disease, or death of any person other than Contractor's employees;
  - claims for damages insured by reasonably available personal injury liability coverage which are sustained:
    - by any person as a result of an offense directly or indirectly related to the employment of such person by Contractor, or
    - by any other person for any other reason;
  - claims for damages, other than to the Work itself, because of injury to or destruction of tangible property wherever located, including loss of use resulting therefrom; and
  - claims for damages because of bodily injury or death of any person or property damage arising out of the ownership, maintenance or use of any motor vehicle.

#### 41. Evaluation and Basis for Award – One Award.

Proposals will be selected based on the ability of each bidder to carry out all the requirements contained in this RFP. Incomplete or late proposals or those found to be default, in poor standing or reflective of questionable business/ethical practices will not be considered.

It is the intent of LRGVDC to enter into contractual agreements with the most qualified, responsible respondent whose proposal is responsive to the invitation, meeting all proposals necessary to complete the prescribed scope of work, with the greatest overall value to LRGVDC in terms of price and other enumerated factors such as project history, location registered, etc.

LRGVDC may award a contract of higher qualitative competence of over the lowest priced response seeking the best combination of expertise, experience and value. The project will be awarded to the bidder who provides goods or services at the best value for the LRGVDC.

- i. In determining the best value for the LRGVDC, the following criteria will serve as evaluation guidelines for each Evaluation Committee Member.  
The Proposer is advised to address each criterion directly.

## QUALIFICATIONS

### Firm / Team Qualifications (20 Points Maximum)

Brief history, references, and financial stability of Design/Build Team.

Performance History – Proposer’s previous performance in installation of Standby Generation & related systems. Completed previous installations of similar nature in the last 7 years. Experience of technical and systems design personnel. Design/Build Team’s ability, capacity, and skill to manage projects similar to that required under this RFP. Project team organization; provide organizational chart.

### Administrators/ Engineers / Project Manager Qualifications (15 Points Maximum)

Personal qualification and prior experience with project of similar type

Roles of each during design and construction phase

### General Design Ideas and Presentation (25 Points Maximum)

Proposed Consultation Process with entity that owns site for generator. Proposed design strategy meets site owner requirements for function, maintenance and durability.

Functional Concept addresses Emergency Communication standby power needs.

### Engineering and overall Operations (25 Points Maximum)

Technology solutions are optimal and well supported by narrative / graphic description

Proposal reflects best “feature set” within the budget

Completeness and efficiency of the total design and installation package

Successful and proven experience in the provision of electrical and engineering services.

Profitable operations greater than 3 years in the Rio Grande Valley or where the entity is based 09990.

Introduced knowledge, experience, resources, and value-added services beyond basic scope of work requirements.

Proposed project plan and cost proposal exemplifying total overall quality.

### Schedule (15 Points Maximum)

Submit Schedule and Completion Date.

Proposers shall submit a detailed schedule from inception through completion.

Schedules will be evaluated on how closely the overall schedule and completion date conforms to the Owner’s expectations.

TOTAL MAXIMUM POINTS = 100

42. One contract award will be made under this Request for Proposals. Multiple contract awards shall not be made.

43. Termination of Contract

The LRGVDC reserves the right to terminate the contract if, in the opinion of the LRGVDC, the successful vendor’s performance is not acceptable, if the LRGVDC is being repeatedly overcharged, improperly charged, no funds available, or if the LRGVDC wishes, without cause, to discontinue this contract. Termination will be in written form allowing a 30-day notice.

## **2.4 SCOPE OF WORK**

The Scope of Work for this project involves the installation of Emergency Backup Generators including concrete foundation pads, Automatic Transfer Switches (ATS), noise attenuating enclosures and appurtenance electrical components, erosion controls, driveways, related site work, and all else required for thirteen (13) public safety answering points (PSAPs) throughout Willacy and Hidalgo County. The generators for these sites will be provided by the LRGVDC. All other necessary work required for their full functionality is the responsibility of the bidder.

### **The fourteen site locations are:**

San Juan Police Department  
2301 N Raul Longoria Rd, San Juan, TX 78589

Hidalgo Police Department  
211 E Esperanza Ave, Hidalgo, TX 78557

La Joya Police Department  
100 W Expy 83, La Joya, TX 78560

Palmview Police Department  
400 W Veterans Blvd, Palmview, TX 78572

Alton Police Department  
509 S Alton Blvd, Alton, TX 78573

Mission Police Department  
1200 E 8th St, Mission, TX 78572

Alamo Police Department  
423 N Tower Rd, Alamo, TX 78516

Mercedes Police Department  
316 S Ohio Ave, Mercedes, TX 78570

Elsa Police Department  
216 E 4th St, Elsa, TX 78543

Raymondville Police Department  
523 W Hidalgo Ave, Raymondville, TX 78580

Edinburg Police Department  
1702 S Closner Blvd, Edinburg, TX 78539

Hidalgo County Sherriff's Office  
711 El Cibolo Rd, Edinburg, TX 78541

McAllen Police Department  
1601 N Bicentennial Blvd, McAllen, TX 78501

This site demands the following requirements:

All installs must not affect current systems at McAllen PD. They must receive certifications of such.

An MEP will be contracted to for all wiring capacity and growth studies and installs specified by the City of McAllen Engineering Department

All work including studies and installs must be approved by City of McAllen Engineering Department

Bidders should note that all of the sites listed above may demand the same requirements. It's the bidder's responsibility to determine those requirements for each site.

### **Required work**

- Installation of all equipment – complete turnkey install
- Install generator on pad at suitable location per the entity's preference and ability. It is the bidder's responsibility to consult each entity and determine location of the unit installation.
- Additional site work may be needed for each site. It is the bidder's responsibility to determine what extra site work will be needed, in addition to construction of any required pads, enclosures, or similar structures needed to ensure overall functionality of the generator in adverse or normal conditions.
- The generator will be required to backup the entity's Emergency Communications/9-1-1 Services.
- Each generator installation will also installation of the transfer switch/station and any associated and required fixtures, enclosures, or related items.

### **Electrical Work – to be completed by licensed Electrician**

**All required permits and engineering approvals are the responsibility of the Contractor.**

**Contractor must ensure that the generator is functioning as designed in the space and location provided at each site. Contractor must ensure that the generator is started, running, and operational.**

### **Warranty**

Warranty applies from the date of the final acceptance of the system. Minimum warranty is one year parts and labor. Please indicate any additional terms of warranty on the bid proposal form or in an attachment to the bid proposal form.

### **Service**

Bidder must offer service and install technicians 24/7 for emergency service. Technicians must be certified for install and service of systems supplied. An annual service maintenance plan is desired, contingent upon continued appropriation for funding by the LRGVDC. Please indicate the service price, the cost and any parts discounts on the bid proposal form.

**ALL WORK IS TO BE COMPLETED BY June 30, 2019 or 60 days** from notice to proceed, whichever is later.

### **Bonding**

The successful Proposer shall be required to provide a performance (surety) bond in the amount of 100% of the contract resulting from this RFP and any amendments or change orders to the same to insure the successful performance under the terms and conditions of the contract negotiated between the successful Proposer and the LRGVDC.

## 2.5 FORMS

LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL  
301 WEST RAILROAD-BUILDING "D"  
WESLACO, TEXAS 78596

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**THE FOLLOWING FORMS MUST BE COMPLETED AND SUBMITTED WITH THE SEALED PROPOSAL:**

- A. Proposal Acknowledgment
- B. Bid Proposal Offer
- C. Addenda
- D. References Sheet
- E. Certificate of Incorporation
- F. Non-Collusion Certificate
- G. Declaration of Conflict of Interest
- H. Suspension and Debarment Certification
- I. HUB Subcontracting Plan

**A. PROPOSAL ACKNOWLEDGEMENT**

**“INSTALLATION OF BACK-UP GENERATORS”**

**ISSUE DATE: FEBRUARY 24, 2019**

**PROPOSAL DEADLINE: MARCH 15<sup>TH</sup>, 2019 @ 3PM**

**TO THE ADMINISTRATION DEPARTMENT OF THE LRGVDC:**

The undersigned hereby proposes and agrees to furnish all services, plans, labor, services, materials, supplies, equipment, tools, transportation and other facilities and things necessary or proper for or incidental to the above-named project, as required by and in strict accordance with the Contract Documents.

By submission of this proposal, each offeror and each person signing on behalf of any offeror certifies, under penalty of perjury, that to the best of knowledge and belief:

**EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.**

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company: \_\_\_\_\_

**SWORN TO AND SUBSCRIBED before me by \_\_\_\_\_,**

on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Commission Expiration

1. This Acknowledgement must be filed with the Lower Rio Grande Valley Development Council and be maintained as part of the permanent procurement record.

**B. BID PROPOSAL OFFER**

Pricing is per bid proposal specifications provided within this Request for Proposal. All activities not expressly mentioned in these specifications but involved in carrying out their intent are required and the contractor shall perform the same as though they were specifically mentioned, described, and delineated.

**Total Lump Sum Bid proposal Amount \$** \_\_\_\_\_

In words: \_\_\_\_\_

Please indicate the cost of installation (including all fees, costs, etc.) for each site. Separate pages for each site may be used. The LRGVDC reserves the right to request further information, including but not limited to, an itemized break down of costs associated with the installation of the generator at each site.

The Bidder certifies that they meet the minimum experience requirement and that all equipment meets or exceeds all the requirements of the bid proposal specifications. Bidder was represented at the MANDATORY pre-submittal informational meeting on site.

**Signature** \_\_\_\_\_ **Printed Name** \_\_\_\_\_

**Title** \_\_\_\_\_ **Company Name** \_\_\_\_\_

**Company Address** \_\_\_\_\_

**Phone** \_\_\_\_\_ **Fax** \_\_\_\_\_ **Email** \_\_\_\_\_

**Date** \_\_\_\_\_

Please acknowledge any Addenda by signing here:

#1 \_\_\_\_\_ #2 \_\_\_\_\_ #3 \_\_\_\_\_

Authorized Official's Signature Title of Person Signing

\_\_\_\_\_

Typed or Printed Name of Person Signing Company Name

\_\_\_\_\_

Telephone Number Address

\_\_\_\_\_

**C. ADDENDA**

In the space provided below, acknowledge receipt of addenda: *(if applicable)*

Date Received:

#1 \_\_\_\_\_

#2 \_\_\_\_\_

#3 \_\_\_\_\_

#4 \_\_\_\_\_

#5 \_\_\_\_\_



**D. CERTIFICATION OF INCORPORATION**

**CONTRACTOR MUST SUBMIT CERTIFICATION OF INCORPORATION IN THE STATE OF TEXAS OR MUST SHOW PROOF OF AUTHORIZATION TO DO BUSINESS IN THE STATE OF TEXAS.**

To facilitate correct drawing and execution of contracts, offerors shall supply full information concerning legal status as follows:

NAME: \_\_\_\_\_

Type: CORPORATION          CO-PARTNERSHIP          INDIVIDUAL          TRADE NAME          N/A

If Foreign Corporation, state if authorized to do business in the State of Texas:          YES          NO

**ADDRESS OF PRINCIPAL OFFICE:**

Street:	
City:	
State:	
Zip code:	

**PRINCIPAL OFFICERS:**

NAME	ADDRESS	TITLE

**PRINCIPAL STOCKHOLDERS:**

NAME	ADDRESS	TITLE

If Co-Partnership, Names of Partners and Addresses are:

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If doing business under Trade Name, Assumed Name or Firm Style:

Name of Owner:          Certificate Filed:          (Place)          (Date)

---

## E. REFERENCES

List below at least five (5) references where your firm is providing or has provided services comparable to those contained in your proposal:

Company:	
Contract Person:	
Address:	
Phone #:	
Years of Service Provided:	
Scope of Work	

Company:	
Contract Person:	
Address:	
Phone #:	
Years of Service Provided:	
Scope of Work	

Company:	
Contract Person:	
Address:	
Phone #:	
Years of Service Provided:	
Scope of Work	

Company:	
Contract Person:	
Address:	
Phone #:	
Years of Service Provided:	
Scope of Work	

Company:	
Contract Person:	
Address:	
Phone #:	
Years of Service Provided:	
Scope of Work	

**F. NON-COLLUSION AFFIDAVIT**

**STATE OF TEXAS**            §  
   §  
**COUNTY OF HIDALGO**    §

By the signature below, the signatory for the bidder certifies that neither he nor the firm, corporation, partnership or institution represented by the signatory or anyone acting for the firm bid proposalding this project has violated the antitrust laws of this State, codified at Title 2 - Section 15.01, Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the bid proposal made to any competitor or any other person engaged in the same line of business, nor has the signatory or anyone acting for the firm, corporation or institution submitting a bid proposal committed any other act of collusion related to the development and submission of this bid proposal proposal.

**EXECUTED this** \_\_\_\_\_ **day of** \_\_\_\_\_, **20** .

Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Company: \_\_\_\_\_

**SWORN TO AND SUBSCRIBED before me by** \_\_\_\_\_,  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Commission Expiration

1. This Affidavit must be filed with the Lower Rio Grande Valley Development Council and be maintained as part of the permanent procurement record.

**G. DECLARATION OF CONFLICT OF INTEREST (AFFIDAVIT OF INTEREST)**

STATE OF TEXAS                      § COUNTY OF HIDALGO                      §

I, \_\_\_\_\_, as an **[employee, officer or agent, or any member of his/her immediate family, a partner or a person or an organization which employs or may employ in the near future any of these individuals]** of the LRGVDC, make this affidavit and state that I have a financial or other substantial interest in the LRGVDC which may be considered for the award of **[specify contract or procurement]**.

**My interest is as follows:**

Upon the filing of this affidavit with the Lower Rio Grande Valley Development Council, I affirm that I will abstain from any further participation in this **[contract or procurement]** whatsoever.

**EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.**

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company: \_\_\_\_\_

**SWORN TO AND SUBSCRIBED before me by \_\_\_\_\_,**

on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Commission Expiration

1. This Affidavit must be filed with the Lower Rio Grande Valley Development Council and be maintained as part of the permanent procurement record.
2. Upon filing the Affidavit, the officer, employee or agent must abstain from participating in the procurement process pursuant to the ethics policy set forth in Article VII.

## H. SUSPENSION AND DEBARMENT CERTIFICATION

Federal Law (A-102 Common Rule and OMB Circular A-110) prohibits non-federal entities from contracting with or making sub-awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. LRGVDC does not do business with parties that have been suspended or debarred.

Firms receiving individual awards and all sub-recipients must certify that their organization and its principals are not suspended or debarred by a federal agency.

Before an award can be made to your firm, you must certify that your organization and its principals are not suspended or debarred by a federal agency.

I, the undersigned agent for the firm named below, certify that neither this firm nor its principals are suspended or debarred by a federal agency.

Name of Firm: \_\_\_\_\_

Signature of Authorized Official:

\_\_\_\_\_

Printed Name:

\_\_\_\_\_

Date Signed:

\_\_\_\_\_



I. HUB Subcontracting Plan  
**HUB Subcontracting Plan (HSP)**  
**QUICK CHECKLIST**

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

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

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

**Option Two** -If you will be subcontracting any portion of the contract to Texas certified HUB vendors and Non-HUB vendors, and the aggregate percentage of all the subcontracting work you will be awarding to the Texas certified HUB vendors with which you have a continuous contract in place for five (5) years or less meets or exceeds the HUB Goal the contracting agency identified in the "Agency Special Instructions/Additional Requirements", complete:

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

**Option Three** -If you will be subcontracting any portion of the contract to Texas certified HUB vendors and Non-HUB vendors or only to Non-HUB vendors, and the aggregate percentage of all the subcontracting work you will be awarding to the Texas certified HUB vendors with which you have a continuous contract in place for five (5) years or less does not meet or exceed the HUB Goal the contracting agency identified in the "Agency Special Instructions/Additional Requirements", complete:

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

**Option Four** - If you will not be subcontracting any portion of the contract and will be fulfilling the entire contract with your own resources, complete:

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

**\*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.



# 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 proposal 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) §20.13 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 §20.14(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 contracts that have been in place for five years or less 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.

**Other Services HUB Goal – 26%**  
**Commodities HUB Goal – 31.04%**  
**Special Trades HUB Goal – 32.9%**

- Responses for Special Trades construction shall submit a HUB Subcontracting Plan (HSP) that meets the Good Faith Effort prescribed in Method B (Attachment B). See instruction for Option three on the HSP Quick Check List. No other Good Faith Effort method will be accepted.
- Responses for Miscellaneous Services Agreements for indefinite duration/indefinite quantity- Two (2) part process:
  1. Submit a Letter of HUB Commitment (page 9) and a Good Faith Effort described in Option Four.
  2. Submit a revised HSP prior to execution of each contract process as described in Option Three of Quick Check List.
- 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, proposal or other expression of interest to be considered Non-responsive.
- Respondents who intend to Self-Perform all of their work shall submit an HSP for Self Performance HUB Subcontracting Plan (HSP) as described in Option Four.
- Prime contractor Progress Assessment Report (PAR) 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 INFORM

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 proposal Open Date: \_\_\_\_\_  
 (mm/dd/yyyy)

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

**SECTION 2: SUBCONTRACTING INTENTIONS RESPONDENT**

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 goods and services, will be subcontracted. Note: In accordance with 34 TAC §20.11., an "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. (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).

	Subcontracting Opportunity Description	HUBs		Non-HUBs
		Percentage of the contract expected to be subcontracted to HUBs with which you have a continuous contract* in place for five (5) years or less.	Percentage of the contract expected to be subcontracted to HUBs with which you have a continuous contract* in place for more than five (5) years.	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		%	%	%

(Note: If you have more than fifteen subcontracting opportunities, a continuation sheet is available online at <http://window.state.tx.us/procurement/prog/hub/hub-subcontracting-plan/>.)

- 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 have a continuous contract\* in place with for five (5) years or less 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: SUBCONTRACTING INTENTIONS RESPONDENT (CONTINUATION SHEET)**

a. 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).

	Subcontracting Opportunity Description	HUBs		Non-HUBs
		Percentage of the contract expected to be subcontracted to HUBs with which you have a <u>continuous contract*</u> in place for five (5) years or less.	Percentage of the contract expected to be subcontracted to HUBs with which you have a <u>continuous contract*</u> in place for <u>more than five (5) years.</u>	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		%	%	%

**\*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)**

Check the appropriate box (Yes or No) that indicates whether your response/proposal contains an explanation demonstrating how your company will fulfill the entire contract with its own resources.

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

**SECTION-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 <http://www.window.state.tx.us/procurement/prog/hub/hub-forms/progressassessmentrpt.xls>).
- The respondent must seek approval from the contracting agency prior to making any modifications to 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)
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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 B (Attachment B)

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 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 <http://window.state.tx.us/procurement/prog/hub/hub-forms/hub-sbcont-plan-gfe-achm-b.pdf>.

## SECTION B-1: SUBCONTRACTING OPPORTUNITY

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

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

## SECTION B-2: MENTOR 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, to continue to SECTION B-4.)

- No / Not Applicable (If No or Not Applicable, continue to SECTION B-3 and SECTION B-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 <http://www.window.state.tx.us/procurement/prog/hub/hub-subcontracting-plan>.

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. The initial day the subcontracting opportunity notice is sent/provided to the HUBs **and** to the trade organizations or development centers is considered to be "day zero" and does not count as one of the seven (7) working days.

- a. Provide written notification of the subcontracting opportunity you listed in SECTION B-1, to three (3) or more Texas certified HUBs. Unless the contracting agency specified a different time period, you must allow the HUBs **at least seven (7) working days** to respond to the notice prior to your submitting your bid proposal response to the contracting agency. When searching for Texas certified HUBs, ensure that you use the State of Texas' Centralized Master Bidders List (CMBL) and Historically Underutilized Business (HUB) Search directory located at <http://mycpa.state.tx.us/tpasscmlsearch/index.jsp>. 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 Vendor ID (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	VID Number	Date Notice Sent (mm/dd/yyyy)	Did the HUB Respond?
			<input type="checkbox"/> - Yes <input type="checkbox"/> - No
			<input type="checkbox"/> - Yes <input type="checkbox"/> - No
			<input type="checkbox"/> - Yes <input type="checkbox"/> - 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 proposal 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 <http://www.window.state.tx.us/procurement/prog/hub/mwb-links-1/>.

- 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 (mm/dd/yyyy)	Was the Notice Accepted?
		<input type="checkbox"/> - Yes <input type="checkbox"/> - No
		<input type="checkbox"/> - Yes <input type="checkbox"/> - 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 VID number, the approximate dollar value of the work to be subcontracted, the expected percentage of work to be subcontracted, and indicate whether the company is a Texas certified HUB.

Company Name	Texas certified HUB	VID Number <small>(Required if Texas certified HUB)</small>	Approximate Dollar Amount	Expected Percentage of Contract
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - No		\$	%
	<input type="checkbox"/> - Yes <input type="checkbox"/> - 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.



# HUB Subcontracting Opportunity Notification Form

In accordance with Texas Gov't Code, Chapter 2161, each state agency that considers entering into a contract with an expected value of \$100,000 or more shall, before the agency solicits bid proposals, proposals, offers, or other applicable expressions of interest, determine whether subcontracting opportunities are probable under the contract. The state agency I have identified below in **Section B** has determined that subcontracting opportunities are probable under the requisition to which my company will be responding.

34 Texas Administrative Code, §20.14 requires all respondents (prime contractors) bid proposaling on the contract to provide notice of each of their subcontracting opportunities to at least three (3) Texas certified HUBs (who work within the respective industry applicable to the subcontracting opportunity), and allow the HUBs at least seven (7) working days to respond to the notice prior to the respondent submitting its bid proposal response to the contracting agency. In addition, at least seven (7) working days prior to submitting its bid proposal response to the contracting agency, the respondent must provide notice of each of its subcontracting opportunities to two (2) or more trade organizations or development centers (in Texas) that serves members of groups (i.e., Asian Pacific American, Black American, Hispanic American, Native American, Woman, Service Disabled Veteran) identified in Texas Administrative Code, §20.11(19)(C).

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

<b>SECTION: A</b>	
Company Name: _____	State of Texas VID #: _____
Point-of-Contact: _____	Phone #: _____
E-mail Address: _____	Fax #: _____

Select	Agency Name: _____	Phone #: _____
	Point-of-Contact: _____	Bid proposal _____
	Requisition #: _____	(mm/dd/yyyy)
	Open Date: _____	

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

1. Potential Subcontractor's Bid proposal Response Due Date:

If you would like for our company to consider your company's bid proposal for the subcontracting opportunity identified below in **Item 2**, we must receive your bid proposal response no later than \_\_\_\_\_ on \_\_\_\_\_

Central Time Date (mm/dd/yyyy)

*In accordance with 34 TAC §20.14, each notice of subcontracting opportunity shall be provided to at least three (3) Texas certified HUBs, and allow the HUBs at least seven (7) working days to respond to the notice prior to submitting our bid proposal response to the contracting agency. In addition, at least seven (7) working days prior to us submitting our bid proposal response to the contracting agency, we must provide notice of each of our subcontracting opportunities to two (2) or more trade organizations or development centers (in Texas) that serves members of groups (i.e., Asian Pacific American, Black American, Hispanic American, Native American, Woman, Service Disabled Veteran) identified in Texas Administrative Code, §20.11(19)(C).*

*(A working day is considered a normal business day of a state agency, not including weekends, federal or state holidays, or days the agency is declared closed by its executive officer. The initial day the subcontracting opportunity notice is sent/provided to the HUBs and to the trade organizations or development centers is considered to be "day zero" and does not count as one of the seven (7) working days.)*

2. Subcontracting Opportunity Scope of Work:

3. Required Qualifications:  - Not Applicable

4. Bonding/Insurance Requirements:  - Not Applicable

5. Location to review plans/specifications:  Not Applicable



