

**LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL**

**REQUEST FOR QUALIFICATIONS  
FOR LRGVDC TIRE STUDY  
No: 2020-06**

**“LRGVDC Tire Study”**

**PROPOSAL DEADLINE: July 22, 2020 at 3:00 PM (CT)**



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

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## SECTION I: GENERAL INFORMATION

### 1.1 SOLICITATION SCHEDULE

Release date of Request for Proposal:	July 1, 2020
Pre-Bid Conference: ( <a href="https://global.gotomeeting.com/join/221277693">https://global.gotomeeting.com/join/221277693</a> )	July 10, 2020, 10:00 AM
Last day to submit written questions:	July 17, 2020
<b>Proposal Deadline:</b>	<b>July 22, 2020, 3:00 PM</b>
Public Bid Opening: (Official time clock is LRGVDC phone system) ( <a href="https://global.gotomeeting.com/join/125145853">https://global.gotomeeting.com/join/125145853</a> )	July 24, 2020, 10:00 AM

Proposals will be evaluated by a committee on a date that best serves the process but before board approval.

Interviews	Date To be Determined
Selection Considered for Board Approval:	August 2020
<b>Project Begin Date:</b>	<b>September 2020</b>
<b>Project End Date:</b>	<b>May 2021</b>

If the LRGVDC determines, in its sole discretion, that it is necessary to change any of the dates and times, it will issue an Addendum to this RFQ.

### 1.2 AUTHORIZED AGENCY CONTACT

- Offerors may submit questions and inquiries via email only to [lrgvdc@lrgvdc.org](mailto:lrgvdc@lrgvdc.org). The LRGVDC reserves the right to not respond to any questions that may jeopardize the solicitation or selection process.
- No phone or in-person inquiries regarding the proposal shall be conducted other than during the pre-bid 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 the LRGVDC website. Offerors should frequently check for periodic updates.

### 1.3 PROJECT SUBMISSION

**All Bid Proposals shall be submitted via a sealed envelope or email to [lrgvdc@lrgvdc.org](mailto:lrgvdc@lrgvdc.org), displaying name of offeror and project title as addressed below:**  
LRGVDC  
301 West Railroad-Building D”  
Weslaco, Texas 78596

**SEALED PROPOSAL  
REQUEST FOR QUALIFICATIONS  
ENGINEERING CONSULTING FIRM**

- Fax copies are not acceptable.
- LRGVDC Office Hours: Monday through Friday from 8:00 AM to 5:00 PM  
(Office Closed July 3, 2020 in observance of Independence Day)

## 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.

### 2.2 PROJECT SUMMARY

The LRGVDC is soliciting requests for qualifications for the selection of an Engineering Consulting Firm to provide professional services to conduct a tire study at the discretion of the LRGVDC for anticipated engineering and planning services listed in the official Scope of Services, described in Section 2.3. The information obtained will be utilized by LRGVDC to evaluate and determine the product or services needed for proper tire repurposing program. Each interested firm should utilize the criteria outlined in this Request for Qualifications and should serve as a guidance. The award of any contract or agreement is contingent upon the receipt or availability of adequate project funding.

Scrap tires are being generated on a regular basis and accumulate in large volumes causing an increasing threat to our environment. In order to eliminate the negative effects of these depositions and in terms of sustainable development there is great interest in re-purposing and re-using of non-hazardous solid waste products and materials.

Tires represent a serious environmental concern on several platforms. Part of the risk lies with the chemical makeup of tires. Toxins released from the tire decomposition process pollute water, air and soil. Shredding of scrap tires may provide products that contain different properties as a result of grinding tires or other waste and rubber products and particles (with different granular sizes) including metal, and textile parts. The properties and usefulness of ground rubber depend on many factors including the type of rubber, method of grinding, particle size and shape and specific surface area of particles.

Currently, tires either end up in landfills or not collected at all and improperly disposed of illegally. Tires that are collected in the region are cut in quarters but still pose issues when ending up in area landfills. Tires that are being disposed of illegally pose several environmental and overall issues to local communities. The LRGVDC would like to help divert tires from going to landfills and find a better solution that is also environmentally friendly. This would support the Regional Solid Waste Management Plan Goals of waste diversion.

## **2.3 PROJECT SCOPE**

The offeror shall provide a proposal, in accordance with the terms and conditions set forth herein, to design and develop a tire study specifying options for end use according to the project scope.

- Development of a project plan, including a timeline for the entire scope of work adhering to the desired vision, design, input and feedback from LRGVDC project team.
- Full development of a Tire Study outlining viable tire end use options as per Texas Commission of Environmental Quality (TCEQ) and Environmental Protection Agency (EPA) guidelines and regulations.
- Identification of the best use of recycled tire shred and associated products given the current capabilities of the region. Identification of potential markets within and external to the region for the repurposed tire products is also expected.

## **2.4 EVALUATION CRITERIA**

Proposals will be selected based on the ability of each bidder to carry out all the requirements contained in this RFQ. 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 submittal is responsive to the solicitation, meeting all qualifications necessary to complete the prescribed scope of work, with the greatest overall value to LRGVDC.

Additionally, the following criteria shall be used to evaluate submissions:

- Successful and proven experience in Consulting Services, Engineering, National, State, and local policy making in the field of Solid Waste Management and Economic Development.
  - Provide a statement of interest for the project including a narrative describing the respondent's/firm's unique qualifications as they pertain to this project.
  - Provide a statement on the availability and commitment of the firm and its principal(s) and assigned respondents to undertake the project. Include an organizational chart of the project team and resumes.
- Profitable operations greater than 3 years.
- Introduced knowledge, experience, resources, and value-added services beyond basic scope of work requirements.
- Proposed project plan and rate offer exemplifying total overall quality.

## 2.5 BUDGET

The following is provided in compliance with financial grant requirements of the federal funding agency, TECQ. LRGVDC will award one contract in an **amount not to exceed \$40,000**. Proposals must include a detailed cost proposal and project plan in accordance with the requirements and project scope of this RFQ.

## 2.6 SUBMISSION OF PROPOSALS:

2.6.1 DEADLINE AND LOCATION: The LRGVDC will receive Proposals at the time and location described below.

***Wednesday, July 22<sup>nd</sup>, 2020, 3:00PM*** local time

LRGVDC

301 W. Railroad Building "D"

Weslaco, Texas 78596

2.6.2 Submit the proposal as a PDF file or similar via email to [lrgvdc@lrgvdc.org](mailto:lrgvdc@lrgvdc.org). The file submitted must reflect a scanned copy of an original signature. The submittal must include a copy of the HUB Subcontracting plan as a PDF file or similar.

2.6.3 Late received proposals will be not be returned to the respondent but will remain unopened.

2.6.4 The LRGVDC will not acknowledge or receive proposals that are delivered by telephone, facsimile (fax), or electronic mail (e-mail).

2.6.5 Properly submitted proposals will not be returned to respondents.

2.6.6 Proposal materials must be addressed to the LRGVDC; the package or electronically submitted file must clearly identify the submittal deadline, the RFQ number, and the name and return address of the respondent.

## 2.7 EVALUATION OF PROPOSALS:

The evaluation of the proposals shall be based on the requirements described in this RFQ. All properly submitted proposals will be reviewed, evaluated, and ranked by the LRGVDC. The top five or fewer ranked respondents may be selected by the LRGVDC to participate in step two of the selection process.

2.7.4 Proposals shall not include any information regarding respondent's fees, pricing, or other compensation.

## 2.8 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 divide the project into multiple parts, 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 RFQ for any project and no such representation is intended or should be construed by the issuance of this RFQ.

## 2.9 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" firm(s) will require subjective judgments by the LRGVDC.

**2.10 NO REIMBURSEMENT FOR COSTS:**

Respondent acknowledges and accepts that any costs incurred from the respondent's participation in this RFQ shall be at the sole risk and responsibility of the respondent.

**2.11 PRE-SUBMITTAL CONFERENCE:**

A pre-submittal conference will be held at the time and location described below. Conference will be via GoToMeetings due to the pandemic.

*Friday, July 10<sup>th</sup>, 2020, 10:00 AM* local time

Lower Rio Grande Valley Development Council (LRGVDC)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/221277693>

You can also dial in using your phone.

United States: +1 (872) 240-3212

- One-touch: <tel:+18722403212,,221277693#>

Access Code: 221-277-693

**2.12 ELIGIBLE RESPONDENTS:**

Only individual firms or lawfully formed business organizations may apply (This does not preclude a respondent from using consultants.) The LRGVDC will contract only with the individual firm or formal organization that submits a proposal.

**2.13 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 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.

2.13.4 Submit one (1) signed original hard copy scanned electronically of the HUB Subcontracting Plan (HSP) as separate attachment to the proposal.

**2.14 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 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."

**2.15 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.

**2.16 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, 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.

## **2.17 STATE REGISTRATION OF ENGINEERING FIRMS:**

Respondents are advised that the Texas Board of Professional Engineers requires that any entity providing engineering services to the public must register with the Texas Board of Professional Engineers. An entity is defined as a sole proprietorship, firm, partnership, corporation or joint stock association.

## **2.18 DISCLOSURE OF INTERESTED PARTIES STATUTE.**

In its proposal, Respondents must agree to comply with [Section 2252.908, Texas Government Code](#) (“Disclosure of Interested Parties Statute”) and [1 Texas Administration Code Sections 46.1 through 46.3](#) (“Disclosure of Interested Parties Regulations”) as implemented by the Texas Ethics Commission (“TEC”), including, among other things, providing the TEC and LRGVDC with the information required by the Disclosure of Interested Parties Statute and the Disclosure of Interested Parties Regulations on the form promulgated by the TEC. The form will be required to be submitted to LRGVDC prior to the countersigning of the final agreement and not submitted with this RFQ.

## **2.30 Historically Underutilized Businesses**

Pursuant to the HUB program, if under the terms of any agreement or contractual arrangement resulting from this RFQ, Respondent subcontracts any of the Services, then Respondent must make a good faith effort to utilize HUBs certified by the Texas Procurement and Support Services Division of the Texas Comptroller of Public Accounts or any successor agency (collectively, “TPSS”). Additionally, compliance with good faith effort guidelines is a condition precedent to awarding any agreement or contractual arrangement resulting from this RFQ. Respondent acknowledges that, if selected by the LRGVDC, its obligation to make a good faith effort to utilize HUBs when subcontracting any of the Services will continue throughout the term of all agreements and contractual arrangements resulting from this RFQ. Furthermore, any subcontracting of the Services by Respondent is subject to review by LRGVDC to ensure compliance with the HUB program.

*Proposals that do not include the HSP will be considered non-responsive to this RFQ.*

# **SECTION III: PROPOSING CONDITIONS**

## **3.1 PROPOSAL SUBMISSION**

Sealed proposals are invited by the LRGVDC for all labor, services, materials, supplies, equipment, tools, transportation, and other facilities necessary or proper to meet the requirements of the specifications included in scope of service. The LRGVDC may waive and/or disqualify any proposal not prepared and submitted in accordance with the provisions herein.

Proposals will be received by the designated LRGVDC staff member only at 301 West Railroad, “Building D”, Weslaco, Texas 78596 until the time and date stated in the advertisement for proposals. Any proposals received after the time and date deadline will not be considered.

Any proposals may be withdrawn prior to the scheduled time for the opening thereof.

Proposals must be submitted on the forms provided thereof by the LRGVDC. All blank spaces in the form shall be filled in, amount shall be stated both in words and numerals, the signature shall be longhand, and the completed form shall be without erasure, interlineations, alterations, or any conditions inserted by the offeror. Submit a scanned copy of the proposal that reflects an original signature.

### **3.2 STATUS OF INFORMATION**

The LRGVDC shall not be bound by oral or written information released prior to the issuance of the bid. All inquiries regarding this application must be submitted in writing via email to [lrgvdc@lrgvdc.org](mailto:lrgvdc@lrgvdc.org). Offerors are advised that from the date this solicitation is issued until the award of the contract, NO contact with personnel and/or Governing Body related to this solicitation is permitted, except as authorized such as email inquiries or scheduled pre-solicitation conference.

### **3.3 QUALIFYING CONDITIONS**

The proposal shall state whether the offeror is a corporation or co-partnership, and, if a corporation, under the laws of what state and have the corporate seal affixed. If a co-partnership, specify the full name or names of all interested parties.

The successful offeror shall submit a certificate of incorporation in the state of Texas or proof of authorization to do business in the State of Texas.

The Contractor shall procure and maintain insurance for the duration of the contract. The Contractor shall indemnify and hold the LRGVDC harmless.

The Contractor shall pay any and all Federal, State, County, or City taxes which may be applicable herein.

The LRGVDC shall not be liable for any costs incurred by offerors in the preparation of proposals or for any work performed in connection therewith.

The LRGVDC reserves the right to postpone or cancel the bid and to reject any or all proposals.

### **3.4 NON-COLLUSIVE PROPOSING CERTIFICATE**

All offerors must complete the Non-Collusion certification included submitted as part of the proposal. Any offers submitted without the fully executed Non-Collusion Certifications will be rejected.

If in any case the offeror cannot make the foregoing certification, the offeror shall so state and shall furnish with the proposal a signed statement which sets forth in detail the reason, therefore.

The offeror whose proposal is accepted shall, after written notice by the designated agency staff member enter into a contract and furnish an insurance certificate complying with the provisions of insurance specification. The notice shall be served personally or by the mailing thereof in a postpaid wrapper addressed to the offeror at the address given in the proposal. This contract must be approved by the LRGVDC.

The contract shall be governed and construed under the laws of the State of Texas. Venue for any and all disputes under the contract shall be in Hidalgo County, Texas. Any and all settlement discussions, examinations before trial, depositions and or any other proceedings related to any disputes under the contract shall also be held in Hidalgo County, Texas.

### **3.5 ADDENDA**

Any addenda issued during the time of proposing must be included in the proposal, and in enacting the contract, they shall become a part thereof.

The LRGVDC will issue responses to inquiries and any other corrections or amendments it deems necessary, in written addenda issued prior to the proposal deadline.

Offerors should not rely on any representations, statements or explanations other than those made in this bid or in a formal addendum.

The offeror should verify with the designated contact person, prior to submitting a proposal, that all addenda have been received. Offerors are required to acknowledge the number of addenda received as part of their proposals.

### **3.6 CONFIDENTIAL/PROPRIETARY INFORMATION**

Offerors should specifically identify those portions of the proposal to be confidential, proprietary information or trade secrets and provide justification why such material, upon request, should not be disclosed.

### **3.7 ORAL PRESENTATIONS AND INTERVIEWS**

The LRGVDC may require offerors to give oral or visual presentations in support of their proposals or to exhibit or otherwise demonstrate the information contained therein.

### **3.8 OFFERORS ACCEPTANCE OF CONTRACT PROVISIONS**

By submitting a proposal to the LRGVDC the offeror accepts the standard contract provisions that will become part of the final contract subject to agreement by both parties.

### **3.9 CONTRACT AWARD**

Any proposed contract award shall be subject to all required approvals. Contract award shall be subject to the conditions listed in this solicitation, where applicable.

### **3.10 CONTINUATION CONTRACTS**

The following provisions apply to continuing contracts awarded as the result of this solicitation: The contract is subject to modification or cancellation if adequate funds are not appropriated to the LRGVDC to support the continuation of performance in any fiscal year succeeding the first year.

The contract is subject to modification or cancellation if the contractor's performance is not satisfactory; and the Contract Coordinator will notify the contractor as soon as it is practicable that the funds are not available for the continuation of the contract term for each succeeding year.

### **3.11 FORCE MAJEURE**

Neither Respondent nor Agency shall be liable to the other for any delay in, or failure of performance, of any requirement included in a contract resulting from this solicitation caused by force majeure. The existence of such causes of delay or failure shall extend the period of performance until after the causes of delay or failure have been removed provided the non-performing party exercises all reasonable due diligence to perform. Force majeure is defined as acts of God, war, fires, explosions, hurricanes, floods, failure of transportation, or other causes that are beyond the reasonable control of either party and that by exercise of due foresight such party could not reasonably have been expected to avoid, and which, by the exercise of all reasonable due diligence, such party is unable to overcome.

## **SECTION IV: LRGVDC PROPOSAL PACKET**

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. Addenda**
- C. Certificate of Incorporation**
- D. References Sheet**
- E. Non-Collusion Certificate**
- F. Declaration of Conflict of Interest**
- G. Case Study**
- H. HUB**

## A. PROPOSAL ACKNOWLEDGEMENT

### REQUEST FOR QUALIFICATIONS ENGINEERING/CONSULTING FIRM

**ISSUE DATE: DATE**

**PROPOSAL DEADLINE: DATE & TIME**

**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 submitting the Response, Respondent represents and warrants that the individual submitting this document and the documents made part of this Response is authorized to sign such documents on behalf of the Respondent and to bind the Respondent under any contract that may result from the submission of this Response.

By submission of this proposal, each offeror and each person signing on behalf of any offeror certifies, and in the case of a joint proposal, each party thereto certifies as to its own organization, 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

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

**B. ADDENDA**

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

Date Received:

#1	_____
#2	_____
#3	_____
#4	_____
#5	_____

C. 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:

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

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

**D. REFERENCES**

List below at least three (3) 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:	
Additional Info: (optional)	

Company:	
Contract Person:	
Address:	
Phone #:	
Years of Service Provided:	
Additional Info: (optional)	

Company:	
Contract Person:	
Address:	
Phone #:	
Years of Service Provided:	
Additional Info: (optional)	

## E. 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 bidding 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 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 committed any other act of collusion related to the development and submission of this bid 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.

**F. 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.

## **G. CASE STUDY**

Responding entity shall provide one complete “case study” to offer further evaluation towards determined criteria. Described case study should be of similar scope of work and/or deliverables to project described in this RFQ. Case study shall be submitted with RFQ proposal packet as attachment and/or digital media file.

Case study information and samples must be no greater than 2 years old. Submitted case study should include the following:

- Full description of project parameters and specifications.
- Project scope of work, timeline and accompanying budget.
- Additional project information as bidder determines applicable. (*optional*)

## H. HUB SUBCONTRACTING PLAN



Rev. 2/17

# HUB Subcontracting Plan (HSP) QUICK CHECKLIST

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

- If you will be awarding all of the subcontracting work you have to offer under the contract to only Texas certified HUB vendors, complete:
  - ☐ Section 1 - Respondent and Requisition Information
  - ☐ Section 2 a. - Yes, I will be subcontracting portions of the contract.
  - ☐ Section 2 b. - List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to Texas certified HUB vendors.
  - ☐ Section 2 c. - Yes
  - ☐ Section 4 - Affirmation
  - ☐ GFE Method A (Attachment A) - Complete an Attachment A for each of the subcontracting opportunities you listed in Section 2 b.
- If you will be subcontracting any portion of the contract to Texas certified HUB vendors and Non-HUB vendors, and the aggregate percentage of all the subcontracting work you will be awarding to the Texas certified HUB vendors with which you do not have a continuous contract\* in place for more than five (5) years meets or exceeds the HUB Goal the contracting agency identified in the "Agency Special Instructions/Additional Requirements", complete:
  - ☐ Section 1 - Respondent and Requisition Information
  - ☐ Section 2 a. - Yes, I will be subcontracting portions of the contract.
  - ☐ Section 2 b. - List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to Texas certified HUB vendors and Non-HUB vendors.
  - ☐ Section 2 c. - No
  - ☐ Section 2 d. - Yes
  - ☐ Section 4 - Affirmation
  - ☐ GFE Method A (Attachment A) - Complete an Attachment A for each of the subcontracting opportunities you listed in Section 2 b.
- If you will be subcontracting any portion of the contract to Texas certified HUB vendors and Non-HUB vendors or only to Non-HUB vendors, and the aggregate percentage of all the subcontracting work you will be awarding to the Texas certified HUB vendors with which you do not have a continuous contract\* in place for more than five (5) years does not meet or exceed the HUB Goal the contracting agency identified in the "Agency Special Instructions/Additional Requirements", complete:
  - ☐ Section 1 - Respondent and Requisition Information
  - ☐ Section 2 a. - Yes, I will be subcontracting portions of the contract.
  - ☐ Section 2 b. - List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to Texas certified HUB vendors and Non-HUB vendors.
  - ☐ Section 2 c. - No
  - ☐ Section 2 d. - No
  - ☐ Section 4 - Affirmation
  - ☐ GFE Method B (Attachment B) - Complete an Attachment B for each of the subcontracting opportunities you listed in Section 2 b.
- If you will not be subcontracting any portion of the contract and will be fulfilling the entire contract with your own resources (i.e., employees, supplies, materials and/or equipment), complete:
  - ☐ Section 1 - Respondent and Requisition Information
  - ☐ Section 2 a. - No, I will not be subcontracting any portion of the contract, and I will be fulfilling the entire contract with my own resources.
  - ☐ Section 3 - Self Performing Justification
  - ☐ Section 4 - Affirmation

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



# HUB Subcontracting Plan (HSP)

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

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

The HUB Program promotes equal business opportunities for economically disadvantaged persons to contract with the State of Texas in accordance with the goals specified in the 2009 State of Texas Disparity Study. The statewide HUB goals defined in 34 Texas Administrative Code (TAC) §20.284 are:

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

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

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

## SECTION 1: RESPONDENT AND REQUISITION INFORMATION

- a. Respondent (Company) Name: \_\_\_\_\_ State of Texas VID #: \_\_\_\_\_  
Point of Contact: \_\_\_\_\_ Phone #: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_ Fax #: \_\_\_\_\_
- b. Is your company a State of Texas certified HUB? ☐ - Yes ☐ - No
- c. Requisition #: \_\_\_\_\_ Bid Open Date: \_\_\_\_\_  
(mm/dd/yyyy)

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

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

**SECTION 2: RESPONDENT'S SUBCONTRACTING INTENTIONS**

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

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

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

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

Item #	Subcontracting Opportunity Description	HUBs		Non-HUBs
		Percentage of the contract expected to be subcontracted to HUBs with which you <u>do not</u> have a continuous contract* in place for more than five (5) years.	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		%	%	%
15		%	%	%
Aggregate percentages of the contract expected to be subcontracted:		%	%	%

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

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

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

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

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

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

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

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

This page can be used as a continuation sheet to the HSP Form's page 2, Section 2, Item b. Continue listing the portions of work (subcontracting opportunities) you will subcontract. Also, based on the total value of the contract, identify the percentages of the contract you expect to award to Texas certified HUBs, and the percentage of the contract you expect to award to vendors that are not a Texas certified HUB (i.e., Non-HUB).

Item #	Subcontracting Opportunity Description	HUBs		Non-HUBs
		Percentage of the contract expected to be subcontracted to HUBs with which you <u>do not</u> 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 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		%	%	%
43		%	%	%
Aggregate percentages of the contract expected to be subcontracted:		%	%	%

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

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

**SECTION 3: SELF PERFORMING JUSTIFICATION** (If you responded "No" to SECTION 2, Item a, you must complete this SECTION and continue to SECTION 4.) If you responded "No" to SECTION 2, Item a, in the space provided below explain how your company will perform the entire contract with its own employees, supplies, materials and/or equipment.

#### SECTION 4: AFFIRMATION

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

- The respondent will provide notice as soon as practical to all the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor for the awarded contract. The notice must specify at a minimum the contracting agency's name and its point of contact for the contract, the contract award number, the subcontracting opportunity they (the subcontractor) will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency's point of contact for the contract no later than ten (10) working days after the contract is awarded.
- The respondent must submit monthly compliance reports (Prime Contractor Progress Assessment Report – PAR) to the contracting agency, verifying its compliance with the HSP, including the use of and expenditures made to its subcontractors (HUBs and Non-HUBs). (The PAR is available at <https://www.comptroller.texas.gov/purchasing/docs/hub-forms/ProgressAssessmentReportForm.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) \_\_\_\_\_

#### 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.

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**IMPORTANT:** If you responded "Yes" to **SECTION 2, Items c or d** of the completed HSP form, you must submit a completed "HSP Good Faith Effort - Method A (Attachment A)" for **each** of the subcontracting opportunities you listed in **SECTION 2, Item b** of the completed HSP form. You may photo-copy this page or download the form at <https://www.comptroller.texas.gov/purchasing/docs/hub-forms/hub-sbcont-plan-of-effort-achm-a.pdf>

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

## SECTION A-2: SUBCONTRACTOR SELECTION

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

[illegible]Page 1 of 1  
(Attachment A)

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

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

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

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 you submitting your bid response to the contracting agency. When searching for Texas certified HUBs and verifying their HUB status, ensure that you use the State of Texas' Centralized Master Bidders List (CMBL) - Historically Underutilized Business (HUB) Directory Search located at <http://mycpa.cpa.state.tx.us/gpasscmbllsearch/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 Texas Vendor Identification (VID) Number, the date you sent notice to that company, and indicate whether it was responsive or non-responsive to your subcontracting opportunity notice.

Company Name	Texas VID (Do not enter Social Security Numbers.)	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 response to the contracting agency. A list of trade organizations and development centers that have expressed an interest in receiving notices of subcontracting opportunities is available on the Statewide HUB Program's webpage at <https://www.comptroller.texas.gov/purchasing/vendor/hub/resources.php>.
- d. List two (2) trade organizations or development centers you notified regarding the subcontracting opportunity you listed in **SECTION B-1**. Include the date when you sent notice to it and indicate if it accepted or rejected your notice.

Trade Organizations or Development Centers	Date Notice Sent (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.

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

## SECTION B-4: SUBCONTRACTOR SELECTION

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

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

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

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

Company Name	Texas certified HUB	Texas VID or federal EIN <small>Do not enter Social Security Numbers. If you do not know their VID / EIN, leave their VID / EIN field blank.</small>	Approximate Dollar Amount	Expected Percentage of Contract
	<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		\$	%
	<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		\$	%
	<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. 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 bids, 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, §20.285 requires all respondents (prime contractors) bidding on the contract to provide notice of each of their subcontracting opportunities to at least three (3) Texas certified HUBs (who work within the respective industry applicable to the subcontracting opportunity), and allow the HUBs at least seven (7) working days to respond to the notice prior to the respondent submitting its bid response to the contracting agency. In addition, at least seven (7) working days prior to submitting its bid response to the contracting agency, the respondent must provide notice of each of its subcontracting opportunities to two (2) or more trade organizations or development centers (in Texas) that serves members of groups (i.e., Asian Pacific American, Black American, Hispanic American, Native American, Woman, Service Disabled Veteran) identified in Texas Administrative Code §20.282(19)(C).

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

## SECTION A: PRIME CONTRACTOR'S INFORMATION

Company Name: \_\_\_\_\_  
Point-of-Contact: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

State of Texas VID #: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Fax #: \_\_\_\_\_

## SECTION B: CONTRACTING STATE AGENCY AND REQUISITION INFORMATION

Agency Name: \_\_\_\_\_  
Point-of-Contact: \_\_\_\_\_  
Requisition #: \_\_\_\_\_

Phone #: \_\_\_\_\_  
Bid Open Date: \_\_\_\_\_  
(mm/dd/yyyy)

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

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

If you would like for our company to consider your company's bid for the subcontracting opportunity identified below in Item 2,  
we must receive your bid response no later than \_\_\_\_\_ on \_\_\_\_\_  
Central Time Date (mm/dd/yyyy)

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