

PART 1

PROPOSER'S CERTIFICATION

COMPETITIVE SEALED PROPOSAL

(Firm Name)

(Address)

(City, State Zip Code)

(Phone)

(Fax)

(E-Mail Address)

For

**Interprofessional Education Building (Addition)
Tarleton State University
Fort Worth, Texas
Project No. 04-3281A**

Proposal of: _____
(Legal Firm Name)

COMPETITIVE SEALED PROPOSAL
to
THE BOARD OF REGENTS
of
THE TEXAS A&M UNIVERSITY SYSTEM
FOR THE FOLLOWING WORK

Interprofessional Education Building (Addition)
Tarleton State University
Fort Worth, Texas

The undersigned, as a designated representative of the proposer, declares such firm is the only entity, as principal, with any interest in this Proposal and the Proposal is made without collusion with any other entity. The proposer affirms that the form of Contract, Instructions for Competitive Sealed Proposals, Supplemental Instructions for Competitive Sealed Proposal, Addenda, selection criteria, estimated budget, Specifications and the Drawings pertaining to this Proposal have been examined and the firm has also examined the locations, conditions and classes of materials for the proposed Work and agrees to provide all necessary machinery, tools, apparatus and construction means to accomplish the Work described in the Contract Documents in the manner prescribed.

The proposer agrees the quantities of Work to be performed and materials to be furnished may be increased or decreased as may be considered necessary, in the sole opinion of the Owner's Representative, to complete the Work as planned and contemplated. Adjustment for changes in Work will be in accordance with the Owner's current Uniform General and Supplementary Conditions.

The proposer acknowledges receipt and incorporation of the following addenda into this Proposal:

No. _____

Dated _____

No. _____

Dated _____

Is proposer a corporation? Check One: Yes No

If proposer is subject to the Texas Franchise Tax, a "Certificate of Good Standing" issued by the Texas Comptroller of Public Accounts must be submitted with the Proposal.

A "nonresident proposer" is equivalent to a "nonresident bidder," and a "Texas Resident Proposer" is equivalent to a "Texas Resident Bidder," as defined hereafter and may be awarded a Contract in accordance with Chapter 2252, Texas Government Code, as partially quoted below:

"(3) "Nonresident bidder" refers to a person who is not a resident.

(4) "Resident bidder" refers to a person whose principal place of business is in this state, including a contractor whose ultimate parent company or majority owner has its principal place of business in this state."

In the space below, enter the address of the proposer's place of business and, if applicable, the name and address of the proposer's ultimate parent company or majority owner.

Proposer's name and address of principal place of business:

Ultimate parent company or majority owner's name and the address of its principal place of business:

The Base Proposal Amount is the total amount for the furnishing of all labor, materials, services, equipment and appliances required in conjunction with and properly incidental to all Work (demolition, site work, general construction, mechanical, plumbing, electrical and data/telecommunications work not including Work listed as alternates) for construction of the _____, Texas, in conformance with Drawings and Specifications prepared by _____, Texas.

Construction Time is the total number of calendar days from the Notice to Proceed to complete all Work.

Each add Alternate Proposal Item is the total amount to be added to Base Proposal Amount, in the event that any of the described Alternate Proposal Items are accepted. Refer to Specification Section 01 23 00 for detailed description of Work included in each Alternate Proposal Item. Include all labor, materials, services, equipment, variations in profit, overhead, bonds, insurance, and similar related items as described in the drawings and specifications. Time of completion shall

not be changed due to the acceptance of any of the Alternate bids below except for adjustments indicated for each alternate. A "non-response" or omission of proposal price on any Alternate may cause the total proposal to be rejected. The Owner reserves the right to accept or reject any Alternate in the order of its own choosing.

Accompanying this Proposal is a cashier's check or a Bid or Proposal Bond (Form C-2) in the amount of not less than five percent (5%) of the greatest total amount of this Proposal payable without recourse to the order of the Board of Regents of The Texas A&M University System. Use of a surety company bid bond form is NOT acceptable and will constitute an irregular proposal which will be rejected.

The proposer agrees that this Proposal will not be withdrawn for a period of ninety (90) days from the date of the Proposal opening.

The proposer further agrees to pay Liquidated Damages per calendar day for failure to complete the work within the contracted time in accordance with Section 9.11 of the Uniform General and Supplementary Conditions and as established in the Contract.

By signing below, the proposer hereby certifies as follows, and acknowledges that such certifications will be included in any resulting contract:

- (i) By signature hereon, Respondent offers and agrees to furnish all services to construct the project at the prices quoted and comply with all terms, conditions, and requirements set forth in the RFP documents and contained herein.
- (ii) By signature hereon, Respondent affirms that it has not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted Proposal. Failure to sign hereon, or signing a false statement, may void the proposal or any resulting contracts at the Owner's option, and the Respondent may be removed from all proposal lists at this Agency.
- (iii) By signature hereon, a corporate Respondent certifies that it is not currently delinquent in the payment of any Franchise Taxes due under Chapter 171, Texas Tax Code, or that the corporation is exempt from the payment of such taxes, or that the corporation is an out-of-state corporation that is not subject to the Texas Franchise Tax, whichever is applicable. A false certification shall be deemed a material breach of contract and, at the Owner's option, may result in cancellation of any resulting contract.
- (iv) By signature hereon, the Respondent hereby certifies that neither the Respondent nor the firm, corporation, partnership, or institution represented by the Respondent, or anyone acting for such firm, corporation, or institution has violated the antitrust laws of this state, codified in Section 15.01, et. seq., Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the

proposal made to any competitor or any other person engaged in such line of business.

- (v) By signature hereon, Respondent certifies that all statements and information prepared and submitted in response to this RFP are current, complete, and accurate.
- (vi) By signature hereon, Respondent certifies that the individual signing this document and the documents made part of the RFP is authorized to sign such documents on behalf of the company and to bind the company under any contract which may result from the submission of this proposal.
- (vii) By signature hereon, Respondent certifies as follows:
 - “Under Section 231.006, Texas Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, is not ineligible to receive payment and acknowledges that this contract may be terminated, and payment may be withheld if this certification is inaccurate.”
 - “Under Section 2155.004, Texas Government Code, the vendor or applicant certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated, and payment withheld if this certification is inaccurate.”
 - “Under Section 2254.004, Texas Government Code, the vendor or applicant certifies that each individual or business entity proposed by Respondent as a member of its team that will engage in the practice of engineering or architecture was selected based on demonstrated competence and qualifications only.”
- (viii) By signature hereon, Respondent and each person signing on behalf of Respondent certifies, and in the case of a sole proprietorship, partnership or corporation, each party thereto certifies as to its own organization, that to the best of their knowledge and belief, no member of the A&M System or the A&M System Board of Regents, nor any employee, or person, whose salary is payable in whole or in part by the A&M System, has direct or indirect financial interest in the award of this RFP, or in the services to which this RFP relates, or in any of the profits, real or potential, thereof.
- (ix) By signature hereon, Respondent affirms that no compensation has been received for participation in the preparation of the specifications for this RFP. (Ref. Texas Government Code, Section 2155.004.)
- (x) Respondent represents and warrants that all services to be provided in response to this RFP will meet or exceed the safety standards established and promulgated under the Federal Occupational Safety and Health law (Public Law 91-596) and its

regulations in effect as of the date of this solicitation.

- (xi) By signature hereon, Respondent signifies its compliance with all federal laws and regulations pertaining to Equal Employment Opportunities and Affirmative Action.
- (xii) Respondent certifies it does not and will not, during the performance of any resulting contract from this RFP, boycott Israel.
- (xiii) Respondent certifies that it is not engaged in business with Iran, Sudan, or a foreign terrorist organization. Respondent acknowledges that any Agreement resulting from this RFP may be terminated if this certification is inaccurate.
- (xiv) Respondent certifies that it or the individual named below is not involved in human trafficking. Respondent acknowledges that any Agreement resulting from this RFP may be terminated & payment withheld if this certification is inaccurate.
- (xv) Respondent certifies that In accordance with Section 552.372 of the Texas Government Code, Respondent agrees to (1) preserve all contracting information related to the contract that may result from this solicitation as provided by the records retention requirements applicable to the Owner for the duration of the contract, (2) promptly provide to the Owner any contracting information related to the contract that is in the custody or possession of the Respondent on request of the Owner, and (3) on termination or expiration of the contract, either provide at no cost to the Owner all contracting information related to the contract that is in the custody or possession of the Respondent or preserve the contracting information related to the contract as provided by the records retention requirements applicable to the Owner. Except as provided by Section 552.374(c) of the Texas Government Code, the requirements of Subchapter J, Chapter 552, Government Code, may apply to a contract that may result from this solicitation and the Respondent agrees that the contract can be terminated if the Respondent knowingly or intentionally fails to comply with a requirement of that subchapter.
- (xvi) Respondent is responsible to ensure that employees participating in work for any A&M System member have not been designated by the A&M System as Not Eligible for Rehire as defined in System policy [32.02, Section 4](#). Non-conformance to this requirement may be grounds for termination of any resultant agreement.
- (xvii) Under Chapter 2274, Texas Government Code (enacted by SB 19, 87th Texas Legislature, Regular Session (2021)), Respondent verifies (1) it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and (2) it will not discriminate during the term of this contract against a firearm entity or firearm trade association. Respondent acknowledges this contract may be terminated and payment withheld if this verification is inaccurate. **[Note:** This provision does not apply to: (1) contracts below \$100,000; (2) contracts with a sole-source provider; and (3) contracts with a

non-profit entity, sole proprietorship, or a for-profit entity that has less than 10 full time employees.]

- (xviii) Respondent certifies that it does not require its customers to provide any documentation certifying the customer's COVID-19 vaccination or post-transmission recovery on entry to, to gain access to, or to receive service from the Respondent's business. Respondent acknowledges that such a vaccine or recovery requirement would make Respondent ineligible for a state-funded contract.
- (xix) Respondent represents and warrants that: (1) it does not, and will not for the duration of the contract, boycott energy companies or (2) the verification required by Section 2274.002 of the Texas Government Code does not apply to the contract. If circumstances relevant to this provision change during the course of the contract, Respondent shall promptly notify Owner.

[SIGNATURE PROVIDED ON FOLLOWING PAGE]

Proposer:

(Legal Firm Name)

Name(s) of individual(s), proprietor(s), partner(s), shareholders(s), or owner(s) with an ownership interest of at least 25% of the business entity executing this Proposal.

By: _____
(Signature)

Name: _____

(Print or Type Name)

Name: _____

Title: _____

Name: _____

Address: _____

Name: _____

Phone No.: _____

Fax No.: _____

E-mail Address: _____

PART 2

TECHNICAL PROPOSAL

PROPOSER'S QUALIFICATIONS

COMPETITIVE SEALED PROPOSAL

(Firm Name)

(Address)

(City, State, Zip Code)

(Phone)

(Fax)

(E-Mail Address)

For

**Interprofessional Education Building (Addition)
Tarleton State University
Fort Worth, Texas
Project No. 04-3281A**

General Contractor's Name: _____

Address: _____

City, State Zip Code: _____

Telephone No.: _____ Fax No.: _____

E-mail Address: _____

State Comptroller Vendor Identification Number: _____

I. GENERAL

1. Qualification information submitted shall be applicable only to the Contractor's office that will perform this Work.
2. Attach your Project Organization Chart and detailed resumes of individuals assigned to this project including full-time project manager, full-time superintendent, full-time project scheduler/expediter, and two full-time quality control supervisors.
3. The resumes of your key personnel shall include professional affiliations.

II. HISTORY

1. Corporation Partnership
 Sole Proprietorship Joint Venture
 Limited Liability Company

State of Organization: _____

2. In continuous business since: _____

Remarks (if required): _____

3. List other fully staffed offices or fully staffed branch offices of your organization:

<u>Name/Location</u>	<u>Branch Manager</u>	<u>Telephone Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. Corporate Officers, Partners, or Owners of Organization:

<u>Name</u>	<u>Title</u>	<u>Construction Experience</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. Check box(es) corresponding to the nature of your business:

- Large Business (100 or more employees)
- Small Business (fewer than 100 employees)
- HUB Business
- Other (Define)

6. Has your organization ever defaulted or failed to complete any work awarded?

- Yes No

If yes, stipulate where and why: _____

7. Has your organization ever paid liquidated damages or a penalty for failure to complete a contract on time? Yes No

If yes, stipulate where and why: _____

8. Has your organization ever been charged with or paid a fine for non-compliance with State and/or Federal statutes or regulations? Yes No

If yes, stipulate where and why: _____

III. EXPERIENCE

1. Normally performs _____% of the work with own forces.

(List Trades) _____

2. Propose to perform _____% of the work for this project with own forces.

(List Trades) _____

3. List major construction projects your organization has **currently in progress** using the format below: (Include as an attachment identified by item and sub-item.)

Name and Location of Project: _____

Contract Amount: _____

Percent Complete: _____

Projected Completion Date: _____

Owner Reference Contact:

Name

Telephone

Address

A/E Reference Contact:

Name Telephone

Address

4. Total number and dollar amount of contracts **currently in progress**:

Number _____

\$ _____

5. Largest single contract amount **currently in-progress**: \$ _____

Project Name: _____

Projected Completion Date: _____

6. List major construction projects your organization has completed in the **last 5 years** with completion dates and references. Other projects of particular significance may also be listed. (Include as an attachment identified by item and sub-item.)

Name and Location of Project: _____

Contract Amount: _____

Date Completed: _____

Owner Reference Contact:

Name Telephone

Address

A/E Reference Contact:

Name Telephone

Address

7. Volume of work completed over **last 5 years**: (Through 12/31)

2022 \$ _____
2021 \$ _____
2020 \$ _____
2019 \$ _____
2018 \$ _____

8. List pending claims and/or litigation at time of submitting Proposal. (Show project name, owner and summary explanation.)

IV. SAFETY PROGRAM

1. List your organization's Workers Compensation Experience Modification Rate (EMR) for the **last five years**, as obtained from your insurance agent.

2022 _____
2021 _____
2020 _____
2019 _____
2018 _____

2. Complete matrix for the **last five years**, as obtained from OSHA No. 200 Log:

	2022	2021	2020	2019	2018
Number of injuries and illnesses	_____	_____	_____	_____	_____
Number of lost time accidents	_____	_____	_____	_____	_____
Number of recordable cases	_____	_____	_____	_____	_____
Number of fatalities	_____	_____	_____	_____	_____
Number of employee direct hire fixed hours worked(round to 1,000's)	_____	_____	_____	_____	_____

3. Are regular project safety meetings held for Field Supervisor(s)? Yes No
If yes, frequency: Weekly Bi-monthly Monthly As Needed
4. Are project safety inspections conducted? Yes No

If yes, who performs inspection?

How often?

Who is required to attend?

5. Does organization have a written safety program? Yes No
If yes, provide a copy. It will become a compliance document upon contract award.
6. Does your organization have a safety orientation program for new employees?
 Yes No

For employees promoted to Field Supervisor? Yes No

If yes, does your Supervisor Safety Program include instructions on the following?

	Yes	No
Safety work practices	<input type="checkbox"/>	<input type="checkbox"/>
Toolbox safety meetings	<input type="checkbox"/>	<input type="checkbox"/>
First aid procedures	<input type="checkbox"/>	<input type="checkbox"/>
Accident investigation	<input type="checkbox"/>	<input type="checkbox"/>
Fire protection	<input type="checkbox"/>	<input type="checkbox"/>
New worker's orientation	<input type="checkbox"/>	<input type="checkbox"/>

V. QUALITY CONTROL PROGRAM

1. Submit a complete quality control program which will become a compliance document upon contract award.
2. This plan should address all aspects of quality control including responsibility for surveillance work, acceptance, rejection, documentation and resolution of deficiencies, trend analysis and corrective action and interface with Owner's inspectors.

PART 3
HUB SUBCONTRACTING PLAN
for
CONSTRUCTION SERVICES

(Firm Name)

(Address)

(City, State Zip Code)

(Phone)

(Fax)

E-Mail Address

For
Interprofessional Education Building (Addition)
Tarleton State University
Fort Worth, Texas
Project No. 04-3281

1. HUB PROGRAM

The purpose of the HUB Program is to promote full and equal business opportunities for all businesses in State contracting. The Texas A&M University System shall make a good faith effort to meet or exceed the agency's HUB goal and to assist HUBs in receiving a portion of the total contract value of all contracts that the agency expects to award in a fiscal year. It is the policy of the A&M System to contract directly with HUBs or indirectly through subcontracting opportunities in accordance with the Texas Government Code, [Chapter 2161 Subchapter F, Comptroller of Public Accounts HUB Rules](#), and [Texas Administrative Code Section § 20.285](#).

The A&M System has established its own HUB goals as allowed in Texas Government Code, Chapter 2161.123(d)(5). Therefore, respondents are required to use the following:

- **30% for all building construction, including general contractors and operative builders contracts.**
- 10% for heavy construction other than building contracts.
- 10% for all special trade construction contracts.
- 35% for professional services contracts.
- 11% for all other services contracts; and
- 44% for commodities contracts.

A Historically Underutilized Business (HUB) is defined by statute as a for-profit entity that has not exceeded the size standard prescribed by [34 TAC §20.294](#), and has its principal place of business in Texas, and is at least 51 percent owned by an Asian Pacific American, Black American, Hispanic American, Native American, American woman and /or Service Disabled Veteran with a Service related disability of 20% or greater, who reside in Texas and actively participate in the control, operations and management of the entity's affairs.

The total expected value of this contract is \$100,000 or more and the A&M System has determined that subcontracting opportunities are probable for this contract. Therefore, the Respondent is required to submit a HUB Subcontracting Plan (HSP) form and HUB Goal Achievement (HUBA) Plan with their proposal. The Respondents will use the procedures prescribed in Article II when completing the HSP form.

All Respondents must submit a HUB Subcontracting Plan form and HUBA Plan according to the procedures and steps listed below.

The A&M System will review the information and supporting documentation submitted and use it as a basis to determine if the Respondent's plan provides evidence that a good faith effort will be made by the Respondent as required. If it is determined that the submitted plan is not sufficient, the Respondent's submittal/proposal will be considered non-responsive and shall be rejected for the reasons recorded in the project files. An accepted HSP Subcontracting Plan form will become a part of any contract with the Respondent resulting from this solicitation and then can only be modified by contract

change order.

For information regarding The Texas A&M University System HUB Program and HUB subcontracting requirements, please contact Ms. Porschia Tolbert, HUB Program Director, (979) 458-3265, so-hubprogram@tamus.edu.

2. HUB SUBCONTRACTING PLAN (HSP) PROCEDURES

An HSP form is required as part of bids, proposals, offers, or other applicable expression of interest valued at \$100,000 or more. Responses that do not include the HSP form or if the agency determines that the HSP form was not developed in good faith, shall be rejected as a material failure to comply with the advertised specifications.

The procedures for the HSP form requirements of this Request for Proposal are a **two-step process** as follows; 1) Initial HSP form is required to be submitted with this RFP, and 2) Complete and final HSP form is required to be submitted within sixty (60) days of award. These two steps are defined below.

1) **All Respondents.** The following items must be submitted with your RFP response in order to meet the HUB Subcontracting Plan requirements.

- a. Cover sheet, Page 1 of Part 3
- b. Letter of transmittal attesting that the Respondent has read and understands the Policy on Historically Underutilized Businesses (see Attachment A)
- c. Historically Underutilized Business Subcontracting Plan Form: Complete the HSP form by submitting Sections 1, Section 2-a. & b. and Section 4 only. Include the percentage of anticipated HUB participation for each subcontracting opportunity within Section 2b of the HSP form. Take note of the Method B attachment, as the Awarded Respondent will be required to complete this attachment for each subcontracting opportunity to demonstrate good faith effort. The Method B pages and supporting documentation are not required at this time. See Item 2) below regarding requirements for the Awarded Respondent.

Since the final percentages for all subcontracting opportunities may change upon execution of subcontracts, only estimates are required at this time. Estimates much be made in good faith. The Awarded Respondent will be required to provide final, accurate percentages within the HSP form submittal required in Item 2) below.

The Respondent is required to use The Texas A&M University System specific state of Texas HUB Subcontracting Plan form to be utilized (for FY23). [CLICK HERE](#) to access the form.

- d. HUB Goal Achievement (HUBA) Plan explaining how the Respondent intends to make a good faith effort for each subcontracting opportunity identified in Section 2 of the HSP form.

HUBA Plan shall be a comprehensive plan which outlines the Respondent's method to attract the interest of, develop business relationships with, and use State of Texas certified HUB vendors to perform a portion of the scope. The HUBA Plan shall accurately represent the Respondent's strategy and methods. This plan may be completed on a simple Word document and shall include the following items:

- The Respondent shall state whether it is a Texas certified HUB.
- The Respondent shall state its intent to make a good faith effort to meet or exceed the stated A&M System HUB goal of **30% for building construction**. Note: The Awarded Respondent must provide supporting documents demonstrating and verifying full good faith effort was performed for each subcontracting opportunity as stated in Item 2) below. This documentation may include all bid responses received for each of these opportunities and copies of emails sent HUBs and trade organizations to solicit HUB participation.
- Provide a copy/example of the solicitation notice letter that will be sent to HUB vendors and trade organizations for each subcontracting opportunity as part of this CSP. The notice shall in all instances include the scope of work, information regarding location to review plans and specifications, information about bonding and insurance requirements, and identify a contact person.
- Provide a list of each trade organization and/or development center will be contacted in the outreach efforts for this CSP.

2) **Awarded Respondent Only.** A revised and complete HSP must be submitted within thirty (30) calendar days from the date of award notification. The following items must be submitted with the revised HSP in order to meet the full HUB Subcontracting Plan form requirements.

- a. Complete Section 1, page 1 of the HSP form.
- b. Complete Section 2a through d. The Awarded Respondent is required to note any changes to Section 2b. Note that Method B is required so "No" should be checked on both 2c and 2d.
- c. Complete Section 4
- d. Complete the Method B attachment for each opportunity listed in Section 2b. Remember that all supporting documentation listed in Section B-3 of the HSP form and in Step 1) above is required as part of this attachment. The following are additional items required to demonstrate the good faith effort:
 - The Respondent shall demonstrate that HUB subcontractors were given a reasonable time to respond to the respondent's notice. Per the HSP form, "Reasonable time to respond" in this context is no less than seven (7) working days from receipt of notice with the day notices were sent counting as day 0, unless the A&M System HUB Program determines, approves, and documents circumstances which require a different time period in the contract file.

- The Respondent shall use the State of Texas Centralized Master Bidders List (CMBL)/HUB Directory when searching for HUB subcontractors.

NOTE: A complete list of all certified HUBs may be electronically accessed at the state of Texas [HUB Directory](#).

- The Respondent shall provide documentation that demonstrates that no less than three (3) HUBs were solicited for each subcontracting opportunity listed in Section 2b of the HSP form. The Respondent is encouraged to solicit HUBs in multiple categories (i.e., BL/F, AS/M, AI/F, etc.) for each subcontracting opportunity.
- The Respondent shall provide documentation that demonstrate that solicitations were sent to no less than two (2) trade organizations and/or development centers for each subcontracting opportunity listed in Section 2b of the HSP form, requesting assistance in disseminating information about the subcontracting opportunities to HUBs within their membership constituency and professional networks and identifying HUBs to bid on these opportunities.
- The Respondent shall demonstrate that it negotiated in good faith with qualified HUBs which demonstrated an ability to perform the scope of work on which they bid.
- The Respondent shall provide a written justification of the selection process if a non-HUB subcontractor is selected for any subcontracting opportunity in Section B-4c.

3. HSP CHANGES

If at any time during the term of the contract it becomes necessary to make a change to the approved HSP form, the Respondent shall submit the proposed change to the TAMUS HUB Program Office for review and approval before the change can be effective under the contract. The contractor must comply with provisions of TAC §20.14 relating to development and evaluation of the HSP form, in order to substitute or subdivide the work and/or substitute or add subcontractors prior to any alteration of the HSP. In the event that a change is necessary, the requested changes shall not reduce the level of HUB participation that was a part of the proposal at the time of construction contract award unless approved by the A&M System HUB Program office. The reasons for proposed change(s) shall be documented via e-Builder.

The Awarded Respondent will be required to submit a revised HSP form for any additional subcontracting opportunities that were not identified in the original HSP form and that are created when the original scope of work expands through a change order, contract amendment or a contract renewal.

4. REPORTING REQUIREMENTS

The Awarded Respondent is required to report the business name and the amount paid to each subcontractor, HUBs and non-HUBs, to the A&M System on the [Progress Assessment Report \(PAR\) form](#) through the pay application process in e-Builder. During the term of the contract, the A&M System shall monitor and document the performance of the Awarded Respondent through e-Builder. The A&M System may also request payment documentation in accordance with the Comptroller of Public Accounts HUB Rules that confirms the performance of the contractor.

Note: When the prime contractor/vendor is a HUB, it must perform at least 25% of the total value of the contract with its own or leased employees, as defined by the Internal Revenue Service, in order for the A&M System to receive 100% HUB credit for the entire contract. If a HUB prime contractor's HSP form identifies that it plans to perform less than 25% of the total value of contract with its own or leased employees, the HUB contractor must report to The A&M System the value of the contract to be performed by the HUB prime contractor and the amount to be performed by HUB subcontractors.

The A&M System HUB Program office shall audit the Awarded Respondent's compliance with the HSP form. If the Awarded Respondent is found deficient, the A&M System shall give the Awarded Respondent an opportunity to submit documentation and explain why the failure to fulfill the HSP should not be attributed to a lack of good faith effort by the contractor.

If a determination is made that the Awarded Respondent failed to implement the HSP in good faith, the A&M System, in addition to any other remedies, may report nonperformance to the Comptroller of Public Accounts in accordance with 34 TAC, Chapter §20.115 (relating Debarment).

During the term of the contract, the A&M System shall determine whether the value of the subcontracts to HUBs meets or exceeds the provisions specified in the HSP form in the contract.

(Attachment A)

(SUBMIT ON YOUR BUSINESS LETTERHEAD)

Ms. Porschia Tolbert
The Texas A&M University System
Moore/Connally Building
301 Tarrow, Suite 273
College Station, Texas 77840-7896

Subject: HUB Subcontracting Plan
Project Number: 04-3281A
Project Title: Interprofessional Education Building (Addition)
Tarleton State University, Fort Worth, Texas

Dear Ms. Tolbert:

I am pleased to forward this HUB Subcontracting Plan as an integral part of our written response submitted in connection with your competitive sealed proposal for project number 04-3281A.

I have read and understand The Texas A&M University System's Policy on Utilization of Historically Underutilized Businesses (HUBs) and the goals for HUB participation on this project.

Sincerely,

(Signature)
(Printed Name)
(Printed Title)