



**HUB Administration
HUB Subcontracting Plan (HSP)
Pre-Submittal Handout**

**INFORMATION REGARDING COMPLIANCE WITH HUB
SUBCONTRACTING PLAN (HSP) REQUIREMENTS***

NOTE: Failure to meet the good faith effort requirements of the HSP will result in the disqualification of your response.

*The information contained in this handout is based on the Comptroller of Public Accounts' Statewide HUB Program HUB Subcontracting Plan.



HUB Subcontracting Plan (HSP) Information

Project 1110127: HATCHERY POND LINER REPLACEMENTS @ A.E. WOOD STATE FISH HATCHERY

The HSP is part of the solicitation and must be submitted with your response. If the HSP is incorrect and/or incomplete, it may cause your response to be disqualified. If the HSP is not submitted with your response or fails to meet good faith effort requirements, your response will be disqualified.

Please use the attached HSP Quick Checklist (included with the HSP in the bid package) to help you determine how to complete the HSP. The HUB subcontracting goal for this solicitation is **11.2%**. Please keep this goal in mind when reviewing the checklist and Section 2 of the HSP

If you have any questions regarding the HSP process or to have a draft of your HSP reviewed 1-2 weeks prior to submitting your bid response, please contact the TPWD HUB Program.

HUB Administration
hub@tpwd.texas.gov
(512)389-4784

Reference Links:
Centralized Master Bidders List (CMBL) - Historically Underutilized Business (HUB) Search
<https://mycpa.cpa.state.tx.us/tpasscmblsearch/tpasscmblsearch.do>

Minority, Women, or Service-Disabled Veteran Trade Organizations or Development Centers
<https://comptroller.texas.gov/purchasing/vendor/hub/resources.php>

HUB Subcontracting Plan (HSP) Forms
<https://comptroller.texas.gov/purchasing/vendor/hub/forms.php>

TPWD Current Bid Opportunities
http://www.tpwd.texas.gov/business/bidops/current_bid_opportunities/index.phtml

TPWD HUB Subcontracting Plan (HSP) Information
<http://www.tpwd.texas.gov/business/bidops/hub/HSP/index.phtml>

HUB Subcontracting Plan (HSP) Information – Part 2 of 2

Important

1. If your HSP does not meet good faith effort requirements, your response will be disqualified.
2. HUBs must be Texas-certified through the Comptroller's office to comply with the HSP. Not every HUB Zone-certified, City/County HUB, MBE/WBE/DBE, etc. is Texas-certified. If you are searching for HUBs on the Centralized Master Bidders List (CMBL)/HUB Directory, please be sure that their HUB status is active. HUBs may be active or inactive on the CMBL.
3. If you are a HUB prime contractor, you must still complete the HSP.
4. HUBs are not required to respond. You are only required to give them an opportunity to respond.
5. The HUB Program and the HSP are designed to give HUB vendors an opportunity to compete for state contract dollars as a prime contractor or subcontractor. You are not required to subcontract to HUBs.
6. Once a decision has been made to submit a response, the vendor's staff responsible for processing the HSP should contact TPWD HUB Administration for assistance.
7. When writing your response, please determine the work you will subcontract along with the approximate dollar amount(s) and expected percentage(s) of the contract. Divide the contract work into reasonable lots or portions to the extent consistent with prudent industry practices. Think of the whole project as 100% and your subcontracting opportunities as a percentage of the whole project. **You are not required to subcontract every opportunity that TPWD has identified as a potential subcontracting opportunity in the HUB Subcontracting Opportunities form (PWD-991 or PWD-991a).** If after reviewing the specifications of the contract work you identify portions in which your company is unable to complete in its entirety, you will then list the items you have identified as potential subcontracting opportunities in Section 2, Item b.
8. We are available throughout the HSP process to ensure it meets good faith effort requirements. If necessary, we will provide step-by-step, page-by-page guidance before you start the HSP.
9. HSPs can be reviewed prior to the response due date. We recommend utilizing this opportunity for a preliminary review of the HSP, but please allow time for you to correct any issues that may be found.
 - To request a preliminary review, please submit your draft of the HSP via e-mail to HUB Administration at hub@tpwd.texas.gov.
 - Please note that the official review of the HSP occurs after it has been submitted with the response.
10. Our goal is to see all responses pass the HSP review; the more competition, the better value to the state.

HUB Subcontracting Plan (HSP) Tips:

1. The HSP is not evaluated on a points system. Instead, it is reviewed for compliance with good faith effort requirements. Therefore, there are no points awarded for subcontracting to HUBs nor are there penalties for not subcontracting to HUBs. Additionally, there are no penalties for self-performance.
2. Please read the entire HSP and **utilize the attached HSP Quick Checklist**. There are four ways to complete the HSP based on the checklist.
3. Section 2 Subcontracting Intentions is where you will determine if you are self-performing the contract or if you will need to demonstrate a good faith effort by utilizing Method A or Method B.
4. The HUB subcontracting goal is a percentage to help you determine if Method A or Method B should be used to demonstrate a good faith effort. You are not required to subcontract the amount of this percentage. The goal is not applicable if you are self-performing the entire contract.

HUB Subcontracting Plan (HSP) Information – Part 2 of 2 (continued)

HUB Subcontracting Plan (HSP) Tips (continued):

5. “Self-performance” is fulfilling the entire contract with your own resources (equipment, supplies, materials, and/or employees). To claim self-performance, you must provide detailed justification explaining your ability to self-perform.
 - If you are self-performing only a portion of the contract, you are only required to provide information related to the subcontracting opportunities.
 - If you are self-performing the entire contract, you will not complete Method A or Method B.
6. If you are a HUB prime contractor and you will be self-performing some of the subcontracting opportunities, the percentage of the contract you will be self-performing does not count towards the HUB subcontracting goal because you are not subcontracting. **Do not identify subcontracting opportunities that you will be self-performing on the HSP.**
7. Who qualifies as a subcontractor?
 - Any person or entity, contracting with the contractor, either directly or indirectly, to perform all or part of contractor's obligations under the contract including, but not limited to, performing all or part of the work, supplying labor and/or providing, selling or leasing supplies, material or equipment for the work.
 - Anyone that is not on your payroll (think payment vs. paycheck).
 - Please note that small dollar purchases from a vendor do not qualify (ex. box of nails).
8. The HUB Subcontracting Opportunities form (PWD-991 or PWD-991a) provided in the solicitation packet identifies potential subcontracting opportunities. You could have other opportunities or may self-perform some opportunities.
9. If you have a subcontracting opportunity not previously identified in the HUB Subcontracting Opportunities form and need assistance finding HUBs to notify, please contact us. We can create a list of HUBs for you. Please note that HUB lists which correspond to the HUB Subcontracting Opportunities form (PWD-991 or PWD-991a) can be found in the solicitation.
10. If using Method A, Attachment A of the HSP, you may split a subcontracting opportunity in Section 2 between a HUB and a non-HUB and then list both subcontractors on the same Method A page. This tip also applies to Method B, Attachment B of the HSP.
11. For Method B, Attachment B of the HSP, you must allow HUBs at least seven (7) working days to respond to your notification prior to submitting your response. In addition, you must provide notification to minority, women, or service-disabled veteran trade organizations or development centers at least seven (7) working days prior to submitting your response. **The initial day of notification is considered “day zero” and does not count as one of the seven (7) working days.** Holidays and weekends also do not count (see Section B-3 Notification of Subcontracting Opportunity).
 - Keep in mind the amount of time needed to receive a reply and to prepare your response.
 - Be aware of the date and time when your response must be received by our agency.
 - Note the last possible day notifications can be sent (see HSP Information – Part 1 of 2).
 - Keep all e-mails, delivery receipts, read receipts, faxes, confirmation receipts/pages, attachments, phone logs, etc. as supporting documentation and submit them with your HSP.
 - Your notification must provide project specifications. Options include providing a link to the TPWD or TxSmartBuy/Electronic State Business Daily (ESBD) websites for solicitations, attaching the specifications to your notification, or including the specifications in the body of your notification.
 - **Although the form is optional, it is recommended that you utilize the HUB Subcontracting Opportunity Notification Form as your notification** or in addition to your notification to ensure all the required information is provided.
 - You can contact more than a minimum of three (3) HUBs and two (2) minority, women, or service-disabled veteran trade organizations or development centers in case you make an error in an e-mail address.

For additional HSP information, please visit the following webpage located on our TPWD website:
<http://www.tpwd.texas.gov/business/bidops/hub/HSP/index.phtml>.

If you have any questions concerning the HSP, please contact HUB Administration at (512)389-4784 or hub@tpwd.texas.gov.



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.