



Project Management & Construction Services

Standard Operating Procedures

I. Title: Historically Underutilized Business Program (HUB)

II. **PURPOSE:** Furnish subcontracting information of potential subcontractors to prime contractors. Provide guidance in preparation of the HUB Subcontracting Plan (HSP), evaluate the “Good Faith Effort” of each HSP, and monitor payments to each HUB Subcontractor that are identified for contracts.

III. ACTIVITIES:

The HUB Staff Associate will:

Prior to Pre-Proposal

- Receive an email from Contract Specialist of a project \$100,000 or more notifying prospective bidders that solicitation is posted on State of Texas Electronic State Business Daily (ESBD).
- Compile a HUB Sub List (potential subcontractors from the Texas Comptroller of Public Accounts (TCPA) Centralized Master Bidders List (CMBL)) onto an excel spreadsheet broken out with each trade listed in project specifications.
 1. Locate specs & plans in the project’s electronic folder on the network (Project Delivery > AE Project Folders). In specifications look for Table of Contents which will list the scopes of work for the project.
 2. Go to state website and located under CMBL link NIGP Commodity Book and find commodity code numbers for each scope of work.
 3. Search for HUBs Only and HUBs on CMBL. Each one will have to be done separately. Enter commodity codes into HUB directory search and under the Output Option at bottom of page pull down and click on Excel Spreadsheet.
 4. Spreadsheet will open once search button is engaged. Will need to open a blank excel spreadsheet and then copy information on CMBL spreadsheet onto blank spreadsheet. Only columns that should be on final version of list are: Vendor ID, Company Name, Contact Person, Mailing Address, City, State, Zip, Email, Phone, and Business Description.
- Prior to the pre-proposal conference, have HUB Sub List posted onto ESBD (Electronic State Business Daily) via Contract Section.



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Day of Pre-Proposal

- Attend all scheduled pre-proposal conferences for all construction and professional services over \$100,000.00 for the University of Texas at Austin for both Project Management and Construction Services (PMCS) and Utilities & Energy Management.
- Communicate to all attendees the requirements of a “Good Faith Effort” for the submittal of a HSP. Walk through key areas of Exhibit H such as the Cover Letter, HSP, List of Trade Organizations and Development Centers, etc.

Bid Opening

- Envelope(s) that contain HUB Subcontracting Plan (HSP) will be opened 1st and a cursory review will take place to ensure an HSP has been submitted.

HSP Evaluation Procedures

- When reviewing the HSP the goal is to complete in two (2) days.
- Begin with a cursory review to make sure all pages of HSP and cover letter are attached, there is a signature on signature line, and back-up documentation is attached.
- If back-up documentation is not submitted, or no signatures on cover letter or HSP contact prime proposer for clarification and request the information.
- Verify each HUB vendor listed for each scope of work was certified at the time the prime proposer sent out solicitation.
- Go through back-up documentation and verify that notification was sent to a least three (3) HUB vendors and two (2) minority, women or service disabled veteran organizations and/or development centers.
- When counting the seven (7) working days for notification to HUB firms and trade organizations as day 1 begin the next working day. The latest day that can be counted for the 7th day is when envelope #1 is due. **For example:** Prime proposer sends out notifications on December 9, 2014, you would begin counting on December 10th and the seventh (7th) day would be December 18th. University holidays cannot be counted toward the seven (7) days.
- If prime proposer does not meet one and/or more of the HUB Rules, the HUB Staff Associate will deem the proposal non-compliant and recommend their proposal not be accepted to the Contracts Section of Project Management and Construction Services (PMCS).



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- If an HSP/Proposal has been deemed non-compliant, the HUB Staff Associate will notify the bidder/respondent by phone and discuss the findings prior to sending a letter of non-compliance.
- Report non-compliance to the Contract Manager and Project Manager and recommend that HSP has not made Good Faith Effort and is non-compliant and the proposers proposal not be accepted.
- A letter will be prepared to the bidder/respondent contact person addressing the findings. Those to be cc'd are Director, Assistant Director, Manager of Project Control and Customer Relations, Project Manager and Manager, PMCS Contracts
- All findings will be reported on the HSP Review Form (see **Exhibit A**).

Progress Assessment Report (PAR) Procedures

- For each project that is awarded (especially for projects over \$100,000.00) all prime contractors must submit the attached Prime Contractor Progress Assessment Report (PAR) with each payment application to the Contract Manager. (**See exhibit B for form**)
- The Manager, Project Accounts of Business & Financial Services will obtain the necessary approvals and submit the approved payment applications and PAR to the HUB Staff Associate.
- Review each PAR and conduct a payment search in the DEFINE (Mainframe) under Command enter GT3 and scroll over to Misc. and enter contract number or FAMIS Databases to find the correct date when pay application or invoice has been paid.
- Check DEFINE (Mainframe); under Command enter GG3 and find EID numbers for each HUB Subcontractor with a payment
- Enter all subcontracting payments into the University of Texas Subcontracting Database (Cognos HUB Cube).

HUB Reporting Responsibilities

Each month the HUB Staff Associate will:

- Review both the Heavy Construction, Building Construction and VPEC Plant Fund categories to ensure that these contracts are truly generated by PMCS.



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- Report all contracts that belong to the University of Texas System 36 Accounts to the main HUB office so that they will be extracted from UT Austin Campus HUB report and reported on the UT System HUB report.
- Generate HUB Data Reports (reviewing against procurement goals established by disparity study) monthly for PMCS, Business & Financial Services, Facilities Services, and Utilities and Energy Management and send to Sr. Business Analyst quarterly.
- Once Senior Business Analyst has generated quarterly report forward to Director of PMCS, Business & Financial Services, Facilities Services, and Utilities and Energy Management.

Mentor Protégé Program

- The University of Texas at Austin can sponsor a mentor and protégé. There are several forms that are required to be completed by the mentor and protégé team. One of the forms is the State of Texas Mentor Protégé Application that can be found at the following link: <http://www.window.state.tx.us/procurement/prog/hub/mentorprotege/> The other form is a UT Austin form (**Exhibit C**).
- Once forms have been completed and signed by mentor and protégé forward copies to HUB Staff Associate in the UT Austin HUB/SB Program Office. They will route to State of Texas, Texas Procurement and Support Services Division (TPASS) for review and once they receive notice that the application is approved the HUB Staff Associate will be notified. It will be the responsibility of the HUB Staff Associate to notify the mentor of the approval.
- A quarterly meeting will take place with the mentor, protégé, and HUB Staff Associate to discuss if the protégé is receiving the assistance that was agreed on in the agreements.

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IV. DEFINITIONS and ABBREVIATIONS:

Commodities: Materials, supplies, or equipment.

Contractor/Vendor: A supplier of commodities or services to a state agency under a purchase order contract or other contract.

Directory: The Texas Certified Historically Underutilized Business Directory.

Disparity Study: The State of Texas Disparity Study – 2009, conducted by MGT of America, Inc., dated March 30, 2010, or any updates of the study that are prepared on behalf of the state as provide by Government Code, 2161.002(c).

HUB Report: A fiscal year semi-annual and annual report of the state’s total expenditures, contract awards and payments made to certified HUBs.

Mentor Protégé Program: A program designed by the commission to assist agencies in identifying prime contractors/vendors and HUBs for potential long-term contractual relationships.

Other services: All services other than construction and professional services, including services subject to Texas Government Code, Chapter 2254, Subchapter B.

Professional services: Services of accountants, architects, engineers, land surveyors, and physicians that must be purchased by state agencies under Texas Government Code, Chapter 2254, Subchapter A.

Subcontractor: A person who contracts with a vendor to work, to supply commodities, or contribute toward completing work for a governmental entity as defined in Texas Government Code.

HUB Subcontracting Plan: Written documentation regarding the use of HUB subcontractors, which is required by a state agency in procurements with an expected value of \$100,000 or more which a potential contractor/vendor must prepare and return with their bid, proposal, offer, or other applicable expression of interest. The HUB subcontracting plan subsequently becomes a provision of the contract award as a result of the procurement process.

V. REFERENCES:

In accordance with the Texas Government Code, Sections 2161.181-182 and Section 111.11 of the Texas Administrative Code (TAC).

EXHIBIT A



WHAT STARTS HERE CHANGES THE WORLD

THE UNIVERSITY OF TEXAS AT AUSTIN

NAME OF PRIME CONTRACTOR:

Review Date: //

Contract Title:

Contract Number:

Letter of Transmittal:

Is respondent utilizing any subcontractors?

YES NO

Is the good faith information provided?

YES NO

Base Bid Amount: \$

HUB Percentages:

Minority HUB %: %

Women Owned HUB %: %

Total HUB Percentage %

Are Subcontractors Identified:

Trade

YES NO

NAME:

HUB NON-HUB

NAME:

HUB NON-HUB

NAME:

HUB NON-HUB

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Are certificates of HUB/DBE/WDE attached? NUMBER:

YES NO

Were Minority Trade Associations Notified?

YES NO

Affirmation:

Is this form signed and dated? YES NO **Date Signed: //**

Based on my evaluation of the supporting documents, I find that this firm
"Good Faith Effort" as outlined in the HUB Subcontracting plan.

HAS HAS NOT conducted a

Comment: *Muriel D. Kraus*



HUB Subcontracting Plan (HSP) Prime Contractor Progress Assessment Report

This form must be completed and submitted to the contracting agency each month to document compliance with your HSP.

Contract/Requisition Number: _____ Date of Award: _____ Object Code: _____

Contracting Agency/University Name: _____

Contractor (Company) Name: _____ State of Texas VID #: _____

Point of Contact: _____ Phone #: _____

Reporting (Month) Period: _____ Total Amount Paid this Reporting Period to Contractor: \$ _____ -

Report HUB and Non-HUB subcontractor information

***Note: Texas certified HUB status can be verified on-line at: <https://mycpa.cpa.state.tx.us/tpasscmbsearch/index.jsp>**

Subcontractor's Name	*Texas certified HUB? (Yes or No)	Subcontractor's VID or HUB Certificate Number (Required if Texas certified HUB)	Total Contract \$ Amount from HSP with Subcontractor	Total \$ Amount Paid this Reporting Period to Subcontractor	Total Contract \$ Amount Paid to Date to Subcontractor	Object Code (Agency Use Only)
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TOTALS:			\$ -	\$ -	\$ -	

Signature: _____

Title: _____

Date: _____

EXHIBIT C

The University of Texas at Austin Historically Underutilized Business/Small Business Office

Mentor/Protégé Program Agreement

The University of Texas at Austin (hereinafter referred to as Sponsor) Mentor/Protégé Program is designed under the authority of Section 2161.065 , Texas Government Code to facilitate mentor/protégé relationships that build and strengthen capacity of historically underutilized businesses (HUBs) to successfully compete for state contracts.

This agreement made and entered as of the last date of signature below (the effective date) by and between **Mentor Firm Name** (hereinafter referred to as Mentor) and **Protege Firm Name** (hereinafter referred to as Protégé) both with offices located in the State of Texas.

1. Mentor General Information

Name of Firm: Mentor Firm Name
Contact: Mentor Firm Contact Person
Position Title: Mentor Contact Position Title
Address: Mentor Firm Business Address
Mentor Firm City, State, Zip
Telephone: Mentor Firm Phone Number
Fax: Mentor Facsimile Number
E-mail: Mentor Contact Email Address
Web Address: Mentor Firm Web Address

2. Protégé General Information

Name of Firm: Protege Firm Name
Contact: Protege Firm Contact Person
Position Title: Protege Contact Position Title
Address: Protege Firm Business Address
Protege Firm City, State, Zip
Telephone: Protege Firm Phone Number
Fax: Protege Facsimile Number
E-mail: Protege Contact Email Address
Web Address: Protege Firm Web Address

3. Protégé Eligibility

Protégé is currently eligible to participate in the University of Texas Mentor/Protégé Program pursuant to the following criteria:

Protege Firm Name is currently certified as a historically underutilized business (HUB) thru **HUB Certification Expiration Date (YYYY-MM-DD)** by the Texas Procurement and Support Services Division of the Texas State Comptroller's Office

4. Protégé Development Program

Mentor shall provide developmental assistance in the following areas:

Please describe in detail areas of assistance

The parties jointly agree to identify RFP opportunities available each year through The University of Texas at Austin. Using the knowledge gained in the past by Mentor, proposed strategies will be developed, competitive intelligence will be analyzed and pricing/profitability goals established. This interaction will provide on-the-job training to Protégé in the methodologies used when addressing the state market.

5. Training

Mentor and Protégé shall meet regularly during the term of this agreement for training purposes. Such meetings may be conducted in person or by telephone. The agenda for such meetings may include the following:

Monthly Meetings

- Discuss future RFPs and identify teaming opportunities
- Make bid/no bid decisions on released RFP's
- Review status of proposals in process
- Review status of ongoing contracts

Quarterly Meetings

- To educate the protégé and enhance knowledge on RFP process
- Review areas for the expansion of teaming arrangements
- Identify improvements in the proposal/contract process

6. Progress Reports

Mentor and Protégé will cooperate to prepare and submit annual reports to Sponsor by **September 1** each program year. Protégé shall prepare the draft reports and provide to Mentor for review no less than thirty (30) days prior to the date due to Sponsor. Mentor shall provide its requested revisions to Protégé within fifteen (15) days of receipt. Protégé shall submit such report to Sponsor within ten (10) business days before the due date. Such reports will contain a summary of annual activities which may include the following:

- Bid opportunities
- Bid Submitted
- Contracts Won
- Progress regarding developmental assistance provided by Mentor

7. Program Participation Term

The term of this agreement is one (1) years from the last date of signature below and shall renew automatically for one (1) additional year term unless terminated sooner in accordance with the provisions of Article 8 below. This agreement is not renewable for additional terms and unless terminated sooner shall terminate twenty-four (24) months from the last date of signature below.

8. Agreement Termination Procedures

Either party may terminate this agreement for cause of convenience. In the event of termination for convenience, thirty (30) days advance notice shall be provided by the terminating party stating the reason for the termination and offering a thirty day period during which that other party may offer reasons for why the termination shall not occur, including a strategy to remedy termination. After reviewing the response, the terminating party may elect to continue the program or issue a formal termination. The termination will not be appealed by the Sponsor.

9. Acknowledgement – Signed Agreement

Parties to this agreement acknowledge that the participation by the Mentor/Protégé is voluntary. It is also understood that this agreement is neither a guarantee for a contract opportunity nor a promise of business; rather the Program’s intent is to foster long-term business relationships.

The parties understand that The University of Texas at Austin Mentor/Protégé Agreement sponsorship is limited to a period not to exceed twenty-four (24) months commencing from the date the Mentor/Protégé Agreement is signed by all parties.

Three (3) original copies of the agreement shall be drawn. One to be filed with the Mentor, One to be filed with the Protégé, and one to be filed with the Sponsor.

Parties agree to comply with the obligations of the Mentor/Protégé Program as outlined by The University of Texas at Austin.

(Mentor)

(Protégé)

Signed: _____

Signed: _____

Title: _____

Title: _____

Date: _____

Date: _____