



# HUB SUBCONTRACTING PLAN (HSP) COMMITMENT

In accordance with Gov't. Code §2161.252, the contracting agency has determined that subcontracting opportunities are probable under this contract.

NOTE: Responses that do not complete this HSP Plan Commitment shall be rejected.

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 State of Texas Disparity Study. The HUB goals defined in 34 TAC §20.13(b) established by the Texas Transportation Commission by Minute Order 112834 are: 21.1 percent for building construction contracts; 32.7 percent for special trade contracts; 23.6 percent for professional services contracts; 24.6 percent for other services contracts, and 21 percent for commodities purchases.

### TxDOT SPECIAL INSTRUCTIONS / ADDITIONAL REQUIREMENTS -

**Texas Department of Transportation must receive this signed HUB Subcontracting Plan Commitment with the bid proposal to show that the bidding contractor has agreed to submit the entire plan and all documentation within 15 days after conditional contract AWARD as specified in the contract or proposal. A respondent must state whether it is a certified HUB.**

*(TAC Title 43, Part 1, Chapter 9, Subchapter D, Business Opportunity Programs, Rules §9.51 and §9.54) (1-7-10).*

**If the AWARDED contractor (Respondent) does not submit the entire plan and complete all requirements within 15 days, his AWARD will be rejected as failure to meet requirements - bid guarantee or bid bond will be forfeited and become the property of TxDOT, not as a penalty, but to compensate for costs to re-bid. This respondent will not be allowed to re-bid this project.**

**The HUB goal for all building projects for the Texas Department of Transportation is 21.1%. It is highly recommended contractors contact, solicit bids and retain documentation from HUB subcontractors in preparation of the bid.**

### SECTION 1 - RESPONDENT AND SOLICITATION INFORMATION

- a. Respondent (Company) Name: \_\_\_\_\_ State of Texas VID # \_\_\_\_\_  
Point of Contact: \_\_\_\_\_ Phone #: \_\_\_\_\_
- b. Is your company a State of Texas certified HUB?  - Yes  - No
- b. Solicitation (TxDOT Project Number): \_\_\_\_\_

### SECTION 2 - SUBCONTRACTING INTENTIONS

After having divided the contract work into reasonable lots or portions to the extent consistent with prudent industry practices, the respondent must determine what portion(s) of work, including goods or services, will be subcontracted. Note: In accordance with 34 TAC §20.12., a "Subcontractor" means a person who contracts with a vendor to work, to supply commodities, or contribute toward completing work for a government entity. Check the appropriate box that identifies your subcontracting intentions:

- YES. I will be subcontracting portion(s) of the contract.  
(If YES, you will be required to submit a HUB Subcontracting Plan (HSP) as revised and dated 10/11)
- NO. I will not be subcontracting any portion of the contract, and will be fulfilling the entire contract with my own resources.  
(If NO, you will be required to submit a HUB Subcontracting Plan (HSP) as revised and dated 10/11)

### SECTION 3 - 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 submitted is true and correct. Respondent understands and agrees that, if awarded this contract:

- The respondent agrees to submit the entire HUB Subcontracting Plan (HSP) (Rev. 10/11) and all required documentation within 15 days after AWARD.
- The respondent must submit monthly compliance reports (Prime Contractor Progress Assessment Report – PAR) to TxDOT, verifying their compliance with the HSP, including the use/expenditures they have made to subcontractors. (The PAR is available at <http://www.window.state.tx.us/procurement/prog/hub/hub-forms/progressassessmentrpt.xls>).
- The respondent must seek approval from the contracting agency prior to making any modifications to their HSP, including hiring of additional or different subcontractors and the termination of a subcontractor the respondent identified in its HSP. If the HSP is modified without TxDOT's prior approval, respondent may be subject to enforcement remedies under the contract or up to and including debarment from all state contracting.
- The respondent must, upon request, allow TxDOT to perform on-site reviews of the company's headquarters and/or work-site where services are being performed and must provide documents regarding staffing and other resources.

\_\_\_\_\_  
Signature Printed Name Title Date

NOTE: This HSP Plan Commitment must be completed and signed for the bid to be read.